

JOURNAL
OF THE
House of Representatives
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1973

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 1, 1973



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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF ALABAMA

REGULAR SESSION OF 1973

THIRTY-FIRST DAY

House of Representatives
Montgomery, Alabama
Tuesday, August 21, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Lester Spencer, Minister, Aldersgate United Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	Jones (F)	Reid (R)
Adams	Culver	King	Reynolds
Adwell	Doss	Kinsey	Roberts
Agee	Downing	Lang	Robertson
Bank	Drake	Lutz	St. John
Barkett	Easters	McBride	Slate
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Gafford	Mathews	Taylor
Burgess	Goodwin	May	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Parker	Weeks
Coshatt	Hill	Perloff	Williams
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Pruitt	Wood
Cross	Jackson	Reed (T)	Wynot

—104

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirtieth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the thirtieth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirtieth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 1307. To amend Sections 1, 2, 3, 4, 8, and 9, Title 22, Code of Alabama 1940, as amended, which sections relate to the State Board of Health, so as to further regulate said Board.

TOM DRAKE,
Chairman.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1509. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 900. To provide retirement allowances for elected officials and former elected officials and former employees who are or have been elected officials of all municipalities of the state having a population of 300,000 or more according to the last and subsequent federal census.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 287. To fix and prescribe the salary of the tax collector in each county having a population of 600,000 or more according to the last or any subsequent federal census.

Also:

H. 636. To fix the compensation or salary of the assistant Tax Assessor or deputy Tax Assessor of any branch office of the Tax Assessor in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Also:

H. 638. To fix the compensation or salary of the assistant Tax Collector or deputy Tax Collector of any branch office of the Tax Collector in counties having a population of 600,000 or more according to the last or any subsequent federal census, and provide for payment thereof.

Also:

H. 689. In all counties having a population of 500,000 or more according to the last or any succeeding Federal Decennial Census. Each member of the jury board, Commission or like body shall be paid an additional sum of fifty dollars (\$50.00) per month, to be paid monthly out of the County Treasury.

Also:

H. 776. To fix the compensation or salary of the Assistant to the Sheriff of any branch office of the Sheriff in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof; and to change the designation of said office to "Assistant Sheriff".

Also:

H. 836. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338 H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Also:

H. 858. To provide retirement allowances for elected officials in the City of Bessemer, Alabama, and to provide for the payment of such allowances.

Also:

H. 873. To further amend Section 4.04 of Act No. 452, Regular Session 1955, as amended, providing a Mayor-Council form of government for all cities having a population of more than 300,000 inhabitants.

Also:

H. 893. To further amend Section 3 of Act No. 695, H. 1072, Regular Session 1951 (Acts 1951, p. 1198), as amended, relating to the registration and purgation of voters in counties having a population of 400,000 or more, so as to authorize the boards of registrars in any such county to meet from time to time in any of the precincts in any such county for the purpose of registering voters.

Also:

H. 1115. Relating to counties having a population of not less than 16,245 nor more than 16,300 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1116. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants according to the most recent federal

decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1167. To apply only in counties in the state having a population of not less than 65,500 nor more than 75,200 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

H. 1205. To provide for supplemental salary to be paid by Houston County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1035. (With Substitute): Relating to hospitalization of mentally ill persons; defining terms; providing for specified civil, legal and treatment rights of patients, prescribing the duties and responsibilities of all persons and agencies concerned with the admission and treatment of mentally ill persons; prescribing the procedures for voluntary admission, emergency admission, admission for evaluation, and for involuntary hospitalization and treatment; prescribing the quality of care and treatment of patients; authorizing the Alabama Department of Mental Health to issue regulations enforcing the provisions of this Act; and repealing conflicting laws.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered

same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1673. To provide foreign medical graduates employed by the State Board of Corrections, the Alabama Department of Mental Health or other public institutions or hospitals in the state with an alternative method by which to become certified to practice medicine in the state.

H. 1506. To authorize the State Board of Health to promulgate rules and regulations pertaining to protection against rabies.

H. 1507. To amend Code of Alabama 1940, Title 22, Section 110, in relation to fees for protection against rabies.

H. 1508. To amend Code of Alabama 1940, Title 22, Section 112, in relation to impounding of dogs running at large in violation of chapter.

H. 2146. To provide for the mandatory annual blood testing for venereal disease of all persons residing in Alabama who are between a certain age; and to authorize the State Board of Health to implement the provisions of this Act, providing penalties for violation of the provisions of this Act.

S. 386. To authorize incorporated cities and towns to transfer and convey with, or without consideration, to a medical clinic board incorporated pursuant to Act No. 516 adopted at the 1955 Regular Session of the Legislature of Alabama, approved September 9, 1955 (Acts of 1955, p. 1160, et seq.) as amended, with the approval of its governing body, any property, including medical clinics or clinical facilities, hospitals and hospital facilities and assets, and any land used or useable for medical clinic or hospital purposes, including any hospitals or hospital property or assets received by such municipality upon the dissolution of a hospital building authority incorporated pursuant to the provisions of Act No. 109, General Laws of Alabama, approved August 1, 1961.

H. 293. To require all laboratories in this state to report all positive findings of active tuberculosis to the state department of public health; and prescribing penalties for violations.

Mr. Naramore, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 2215. (With Amendment): To amend further Section 91 of Title 36, Code of Alabama (1940), which authorizes the director of the Highway Department to issue special permits for movement of certain oversized and overweight vehicles and loads on the State highway system and to collect fees for the issuance of such permits.

Mr. Naramore, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 2216. To amend further Section 5 of Act No. 704, H. 475, 1951 Regular Session (Acts 1951, p. 1228), as amended, known as the Motor Vehicle Safety-Responsibility Act, so as to correct certain clerical errors in amendatory Act No. 578, H. 355, 1965 Regular Session.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2097. To authorize the City of Vestavia Hills, Alabama to pay Roland L. Paulin for certain expenses as a result of an injury to his son, Mark Paulin.

H. 1568. To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license is issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature a permit to sell or dispense in any part of its civic center for consumption therein draft or keg beer or malt beverages; and to repeal all laws or parts of laws which conflict with the provisions of this Act.

H. 1658. Relating to counties having a population of 400,000 or more; repealing Act No. 661, H. 978, Regular Session 1951, (Acts 1951, p. 1125) which created a County Barbers Commission for such counties.

H. 2109. To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965, to increase the Law Library Tax in each civil or quasi civil action at law, hereafter filed in, rising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, from one dollar (\$1.00) to two dollars (\$2.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty-five cents (\$.25) to fifty cents (\$.50), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (\$.10) to twenty cents (\$.20); in each criminal case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, there shall be taxed as cost a Law Library Tax in the sum of fifty cents (\$.50), said increases to be effective on the day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

H. 2120. Relating to all counties having populations of 600,000 or more according to the most recent federal decennial census; providing for the conversion of certain time spent in the employment of a county but not as a member of the county's retirement system, into paid membership time in the retirement system for county employees and officers.

H. 2142. To submit to the qualified electors of Alabama an amendment to the Constitution of said State providing that the Board of Health of Jefferson County, Alabama shall have the power to supplement the pension or benefit payable from, or out of, a pension system of which the Board of Health officers or employees are members, provided that such supplement is based upon an increase in the cost of living occurring since establishment of the rate or amount of such pension, or benefit; and provided, further, that such power shall be subject to such limitations and restrictions as the Legislature may impose from time to time.

The above bill was read a second time at length as required by the Constitution.

H. 2155. To further amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

H. 2147. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 300,000 according to the most recent federal decennial census.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 2214. (With Substitute): To accord relief to C. D. Chiles by providing as follows: That the Pension Board, established by Act No. 929 of the Regular Session of the Legislature of 1951 (Alabama Acts, 1951, page 1579), herein called "The Pension Act," shall reconsider its decision rendered on or about February 9, 1959, denying to Chiles the extraordinary disability benefit provided for by Section 14 of the Pension Act, claimed by him, for service-connected disability, and granting to him the ordinary disability benefit, provided by said Section 14; providing that the Board on such reconsideration shall consider the following evidence: (1) the opinion of the city physician and any other medical testimony available; and (2) any other available evidence which is material to the question of whether Chiles was entitled to the extraordinary disability allowance; to provide that if, after considering such evidence, the Board determines that Chiles was entitled to the extraordinary disability benefit, then the following relief shall be accorded Chiles: commencing with the first calendar month following the date of such determination by the Board, there shall be paid to Chiles from the Pension Fund established by the Pension Act the extraordinary disability benefit, provided for by Section 14 of the Pension Act, instead of the ordinary disability benefit, provided for by said Section; and there shall be paid retroactively for the period stated below to Chiles such extraordinary disability benefit, instead of the ordinary disability benefit, which retroactive payment shall be for the period between the date whereon payment of such ordinary disability benefit began and the first day of the first calendar month next succeeding the date whereon the Board makes such determination, which retroactive payment shall be accomplished by paying to Chiles for each month during the period next above mentioned an amount equal to the difference between the monthly benefit Chiles actually received as the ordinary disability benefit during said period and the amount which the said Chiles would have received as the extraordinary disability benefit, provided for by Section 14 of the Pension Act had Chiles been receiving the extraordinary benefit during all of said period.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 76. To amend Code of Alabama 1940, Title 51, Sections 879 and 882, so as to withdraw and take away from the director of revenue of Jefferson County all duties, liabilities and responsibilities relative to the issuance, recording and reporting of marriage licenses, and to place such duties, liabili-

ties and responsibilities on the probate judge of such county; and to provide for the transfer of marriage license records from the director of revenue of Jefferson County to the probate judge of such county.

S. 75. To amend Act No. 803, H. 1258 of the Regular Session of 1961 (Acts of 1961, p. 1166), an Act which applies in counties having a population of 500,000 or more inhabitants, according to the last or any subsequent federal census, wherein the use of voting machines has been or shall be authorized, amending such Act so as to provide further for the time and manner of commencing contest of elections and providing for the breaking of the seal on voting machines and the making of records of the count thereof when such machines are needed for subsequent elections.

S. 694. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended) in any municipality located (in whole or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction or otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or personal or both) designed or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2203. To provide for the salary of the chief of police for cities having populations of not less than 70,000 nor more than 135,000 inhabitants according to the most recent federal decennial census.

H. 2166. Relating to circuit court jurisdiction in Montgomery County, so as to raise the age of a dependent child, a neglected child, and a juvenile child from sixteen to eighteen years, and to place such persons eighteen years or younger within the jurisdiction of the circuit court.

H. 2164. Relating to Montgomery County; authorizing the establishment of branch banks.

H. 2156. To amend Section 1 of Act 2280, S. 428, Regular Session 1971 (Acts 1971, p. 3671), which provides for the composition of the personnel board of counties with a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal census, so as to further provide for the composition of such board.

H. 2149. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the fifteenth judicial circuit.

H. 1638. Relating to the municipal courts of cities having a population of not less than 135,000 nor more than 155,000; allowing the judge of such court to refer persons appearing before him, whom he believes to be non compos mentis, to the probate judge of the county in which said city lies for the purpose of a sanity examination.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 76. (With Substitute) (With Amendments): Relating to counties having a population of not less than 150,000 nor more than 180,000; prohibiting any elected official, legislator, member of county and municipal boards or commissions, and any appointed member of any county or municipal board, agency, authority or other subdivision appointed by or to serve under the county governing body or municipal governing body, and certain of their relatives, from doing any business with the county or any of its municipalities and prescribing penalties for violating any of the provisions of this Act.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 2195. Pertaining to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; establishing, subject to a referendum, a Charter Commission for the purpose of proposing a Charter for the consolidation of such counties and the municipalities situated therein; fixing the powers and duties of said Commission, providing for its membership and the payment of expenses.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2194. (With Amendment): To provide an expense allowance for each member of the Madison County Commission, except for the Chairman thereof; to provide that the salary of said officers named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officers.

H. 2193. (With Amendment): To provide an expense allowance for the Probate Judge of Madison County, Alabama; to provide that the salary of said officer named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officer.

H. 2192. (With Amendment): To change the compensation of the tax assessor of Madison County, Alabama.

H. 2189. (With Amendment): To change the compensation of the tax collector of Madison County, Alabama.

H. 2187. (With Amendment): To provide an expense allowance for the Chairman of the Madison County Commission; to provide that the salary of said officer named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officer.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 2188. Relating to counties having a population of not less than 175,000 nor more than 300,000; providing salary increase for the sheriff of such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1625. Relating to Counties having populations of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the County governing body and the governing bodies of Municipalities in such Counties to adopt ordinances which protect the historic architectural character of the County, including designating historic districts, creating certain agencies to regulate and promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

H. 1784. To relieve members of the Greene County Commission of the obligation of making payment for certain illegal expenditures of county funds for ambulance services; to appropriate county funds for reimbursements for certain payments heretofore made.

H. 1785. To amend Act No. 149, H. 441, approved June 29, 1951 (Acts of Alabama 1950-51, vol. I, p. 383), as amended, an act relating to the powers, duties, and compensation of the Court of county commissioners of Greene County.

H. 1917. Relating to any county having a population of not less than 17,000 nor more than 20,000 inhabitants according to the most recent federal decennial census; further regulating the compensation of members of the county commission and the ex officio chairman of said county commission.

H. 1918. To amend Section 8 of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by increasing the maximum annual compensation allowed to secretarial, stenographic and clerical assistants and providing for the positions of Investigators for the Public Defender Office and setting the maximum annual compensation therefor.

H. 2051. To alter, rearrange and extend the boundary lines and corporate limits of the city of Ozark in Dale County.

H. 2052. To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayhatchee in Dale County.

H. 2077. To change the method of compensating the probate judge of Dale County, placing such officer on a salary basis, providing for the operation of his office on such basis, and providing that the fees, commissions, percentages and allowances provided the probate judge under the general law shall be paid into the county treasury, and repealing conflicting laws.

H. 2095. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

H. 2099. To abolish the fine and forfeiture fund of Dale County: providing for the transfer of all money on hand in such fund to the general fund; providing for the payment of all claims which would be paid from the fine and forfeiture fund to be paid from the general fund; and providing for the payment of all monies which would be paid to the fine and forfeiture fund to be paid to the general fund.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2104. (With Amendment): Authorizing the Lee County governing body to levy, assess and collect privilege, franchise, license, sales and use taxes to raise funds for schools and general county purposes.

H. 2108. (With Amendment): To amend Section 3 of Act No. 200, H. 120, 1969, Special Session (Acts 1969, p. 263), entitled, "An Act to provide for Walker County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the county, defining violations of the Act; imposing penalties for violations; and repealing conflicting laws," so as to provide for the inclusion of certain other employees under the provisions of the Act.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2119. Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; allowing the county commission to employ up to four additional deputy sheriffs.

H. 2122. To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, in Houston County, Alabama.

H. 2123. To amend the City of Dothan Pension and Retirement System, established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424, Regular Session of the Legislature, approved August 7, 1961; Act No. 509, Regular Session, approved August 20, 1965; Act No. 601, Regular Session, approved September 8, 1967; Act No. 59, Regular Session 1971, approved July 12, 1971.

H. 2124. Relating to the eleventh judicial circuit; providing an expense allowance for the District Attorney of such circuit; providing for a county salary supplement for such District Attorney at the beginning of his next term of office.

H. 2130. Relating to Cleburne County; providing for the construction, maintenance and repair of public roads, highways and bridges under the

county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads and bridges of Cleburne County.

H. 2168. Relating to Etowah County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

H. 2169. Relating to Baldwin County; providing for the election of the county superintendent of education and prescribing his qualifications, duties, compensation and term of office; providing for the filling of vacancies in such office; and making the provisions of this act subject to the approval of a majority of the electors of the county voting in a referendum to be held thereon.

H. 2170. Relating to counties having a population of not less than 15,650 nor more than 16,200 according to the most recent federal decennial census; requiring any judge who wishes to be paid by such counties under the provisions of Act No. 606 S. 112, Regular Session 1969 (Acts 1969, p. 1110), which relates to Supernumerary Probate Judges, to maintain his permanent residence in such county.

H. 2171. Relating to counties having populations of not less than 56,000 nor more than 59,000 according to the most recent federal decennial census; to authorize the county commission to construct off-street parking facilities on real property owned by the county, to operate, manage and maintain such facilities, and to make or provide a schedule of fees or charges and promulgate rules and regulations, for the use of such parking facilities; to provide for penalties for violations.

H. 2173. Relating to all counties having populations of not less than 115,000 nor more than 130,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

H. 2174. Relating to counties having populations of not less than 16,350 nor more than 16,650 according to the most recent federal decennial census, requiring all railroad operators operating in such counties to erect and maintain proper mechanical warning devices at all grade crossings in such counties.

H. 2175. Relating to counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, requiring all railroad operators operating in such counties to erect and maintain proper mechanical warning devices at all grade crossings in such counties.

H. 2176. Applicable to any county having a population of not less than 65,500 nor more than 75,000 according to the last federal decennial census; to provide for the salary of the members of the Jury Commission of such county.

H. 2177. To amend Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County and providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, by amending Sections 2 and 5 thereof; providing that the county governing body shall have and exercise the power to determine which new county roads and bridges are to be built within the county and to further determine the location of new roads and bridges within the county which may be established as an addition to or change in the existing county road system, all subject to the approval of the State Highway Department; providing that the State Highway Department shall cause its Lauderdale County Engineer, or Assistant Engineer, to personally meet with the county governing body of Lauderdale County in its second regular meeting of each month and make an up-to-date status report on the progress of the work of the State Highway Department relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County; and further providing that the State Highway Department shall prepare and file with the governing body of Lauderdale County on a quarterly basis each year a quarterly financial report relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County by the State Highway Department under the provisions of this Act.

H. 2178. Relating to the management of the public records of Lauderdale County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Lauderdale County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or microphotographing of old documents and records presently held as public records of Lauderdale County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

H. 2179. Relating to Lauderdale County; to further amend Sections 1, 2, 3, 4, 7, 8 and 10 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433), as amended by Act No. 470 adopted by the 1959 Regular Session of the Legislature of Alabama, approved November 13, 1959 (Acts of Alabama of 1959, Vol. 2, pp. 1165-1170), relating to privilege or license taxes or excise taxes in Lauderdale County (outside the corporate limits of the City of Florence) and in the City of Florence, Lauderdale County; levying in such county (outside the city limits of Florence) and in such municipality additional privilege license and excise taxes paralleling the state sales and use taxes provided for in Act No. 100, Second Special Session 1959 (Acts 1959, p. 298), as amended, and in Articles 11, 11A and 11B, Title 51, Code of Alabama, 1940, as amended; providing that the taxes levied in Sections 1 and 3 of this Act shall be subject to all of the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Act No. 100, adopted by the 1959 Second Special Session of the Legislature of Alabama, approved August 18, 1959, as amended, except where inapplicable or where herein otherwise provided; providing that the taxes levied in Sections 2 and 4 of this Act shall be subject to all of the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, as

amended, except where inapplicable or where herein otherwise provided; providing for the alternative collection of such taxes and the enforcement and administration of the Act by the State Department of Revenue if authorized and directed by the governing body of Lauderdale County; and further providing a procedure by which the governing body of Lauderdale County may discontinue availing itself of the alternative collection of such taxes and the enforcement of the Act by the State Department of Revenue after election to invoke such alternative collection and enforcement procedures has been made.

H. 2180. Relating to counties having a population of not less than 53,000 nor more than 55,000, based on the last Federal decennial census.

H. 2181. Relating to counties having a population of not less than 53,000 nor more than 55,000, based on the last Federal decennial census.

H. 2183. To amend the title and Section 1 of Act 149, H. 627, Regular Session 1969 (Acts 1969, p. 426), which provides for compensation and expense allowance for the county governing body in certain counties classified on a population basis.

H. 2184. To amend Sections 1, 2, and 3 of Act No. 1856, H. 2614 Regular Session 1971, (Acts 1971, Page 3012), which provides for further regulating the days, hours, and places of meetings of the board of registrars in counties with a population of not less than 52,500 or more than 54,000, and setting the compensation of its members, requiring forfeiture of certain compensating for violations, repealing conflicting laws and specifically repealing Act No. 128, H. 366, Regular Session 1969 (Acts 1969, P. 403).

H. 2196. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, abolishing the Board of Revenue, establishing in lieu thereof a commission and providing for election of a president and members of said commission for the nomination of members thereof from districts herein prescribed and to prescribe the functions, jurisdiction, powers, and duties of such commission and the president and member thereof.

H. 2199. To repeal Act No. 165, H. 130, Third Special Session of 1971, (Acts 1971, p. 4413) entitled, "Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; to provide for the payment of a clerk hire allowance in the Probate Judge's office of such counties."

H. 2202. To authorize the county governing body in each county having a population of not less than 37,000 nor more than 39,000 according to the most recent federal decennial census, to appropriate not more than \$1.00 per week per prisoner sentenced to hard labor in such counties as a weekly allowance for such prisoners.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 2205. (With Amendment): Relating to all counties having a population of not less than 39,500 nor more than 41,750 according to the last or

any subsequent federal decennial census; to declare the public policy with respect to Sunday business activities; to allow the county and municipal governing bodies to adopt rules and regulations and prescribe penalties for Sunday business activities.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2206. Relating to any county having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; granting the county commission, at county expense, the power to authorize work for any municipality in such county in regard to public airports, public schools or work in connection with the building of roads and site preparation for new industry in such county.

H. 2208. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to set the number of working days for the county board of equalization and to set and pay a travel allowance to the members of the board.

H. 2210. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the registration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 33,550 and not more than 34,000 according to the most recent federal decennial census.

H. 2211. Repealing Constitutional Amendment CLXXXIV, relating to the compensation of certain officers of DeKalb County; proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of DeKalb County.

The above bill was read a second time at length as required by the Constitution.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 2213. (With Amendment): To re-divide the state into judicial circuits so as to create a Thirty-eighth Judicial Circuit consisting of Jackson County and to create a new judgeship and a new district attorney's position.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2217. Relating to all counties having a population of not less than 26,000 nor more than 26,800 according to the most recent federal decennial census, providing that the Judge of Probate of said counties may elect to become exempt from the provisions of Act No. 606, S. 112, Regular Session 1969.

H. 2218. Relating to all counties having a population of not less than 16,350 nor more than 16,650 according to the most recent federal decennial census, providing that the Judge of Probate of said counties may elect to become exempt from the provisions of Act No. 606, S. 112, Regular Session 1969.

H. 2219. To propose an amendment to the Constitution of Alabama that would authorize the governing body of Shelby County, Alabama to form districts within Shelby County for the establishment and maintenance of a system for fighting and preventing fires; for the collection and disposal of trash; for supplying water services; for the collection and treatment and disposal of sewage; for the operation of emergency medical services including ambulance services; and for other similar local type services; and to provide for the administration of such services within such districts including the levy and collection of charges for such services.

The above bill was read a second time at length as required by the Constitution.

H. 2220. Relating to counties having a population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census; authorizing the sheriff of any such county to temporarily release certain prisoners held in the county jail for work at his discretion, and to provide for the allocation of all payment received by such prisoners for said work to the juvenile court of any such county.

H. 2222. Relating to all counties having populations of not less than 30,000 nor more than 33,575; providing for the compensation of bailiffs; and providing that the provisions of this act shall be given retroactive effect to January 1, 1973.

S. 170. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

S. 190. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

S. 191. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

S. 192. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

S. 193. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

S. 194. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 461. (With Amendment): To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in judicial circuits composed of one county and having not less than four nor more than six Circuit Judges.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 566. To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

S. 584. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of offices in Morgan County.

The above bill was read a second time at length as required by the Constitution.

S. 610. To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

S. 634. Relating to counties having a population of not less than 23,934 nor more than 24,460: To regulate further the allowances, fees, deputies, equipment and maintenance of the Sheriff's Department.

S. 678. Relating to Counties having populations of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the County governing body and the governing bodies of Municipalities in such Counties to adopt ordinances which protect the historic architectural character of the County, including designing historic districts, creating certain agencies to regulate and promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purpose of this Act.

S. 686. To amend Act No. 1405, S. 1058, Regular Session 1971 (Acts 1971, p. 2373), which act provides for levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; provides for the administration of the act and the collection and the distribution of the proceeds of the tax; and prescribes penalties for violations, in counties having a population of not less than 52,500 nor more than 54,000.

S. 772. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

S. 773. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900

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nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

S. 789. To amend Act No. 487, S. 919, Regular Session 1971, relating to all counties having a population of not less than 23,900 nor more than 24,450 according to the last or any subsequent federal decennial census, further providing for an expense allowance for members of the county board of education.

S. 790. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; setting the compensation of supernumerary probate judges and providing for a supplement from the general funds of such counties under certain circumstances.

S. 792. Relating to Conecuh County; to provide further for deputies for the sheriff.

S. 793. To provide for additional clerical assistance and an additional clerk hire allowance for the office of judge of probate of Conecuh County.

S. 798. To amend Sections 2 and 3 of Act No. 1126, S. 378, Regular Session 1969 (Acts 1969, p. 2084) so as to provide for the designation of State Planning and Development Districts and the establishment of Regional Planning and Development Commissions in counties having a population between 93,000 and 100,000 persons, according to the most recent federal decennial census; and further defines the duties and authority of regional planning commissions in said counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 807. (With Amendment): To amend Section 1 of Act No. 37, H. 66 Organizational, Special and Regular Sessions 1971 (Acts 1971, p. 4170) as amended which applies in Shelby County, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 815. Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

S. 818. To regulate the compensation of members of the county board of education in all counties having populations of not less than 16,350 nor more than 16,650, and to validate, ratify and confirm all expenditures of funds heretofore paid to members of any county board of education operating in said county prior to the effective date of this act.

S. 820. Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

S. 821. To repeal Act No. 197, H. 525, Regular Session 1959 (Acts 1959, p. 732) entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census."

S. 826. Relating to Dale County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes and for the collection of delinquent privilege license fees under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor, tax collector and license inspector in Dale County, providing for the duties of the office of license inspector of Dale County temporarily to be performed by the tax collector of Dale County and thereafter to be performed by the county revenue commissioner created by this Act; repealing conflicting laws; and prescribing the effective date of this Act.

S. 827. Relating to the minimum compensation of deputy sheriffs in Dale County.

S. 829. To provide for a personnel appeals board for Dale County; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said county.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

H. J. R. 200. AUTHORIZING TWO MEMBERS FROM BOTH THE HOUSE AND SENATE COMMITTEES ON INSURANCE TO ATTEND THE ANNUAL MEETING OF THE CONFERENCE OF INSURANCE LEGISLATORS IN ATLANTA.

Also:

H. J. R. 201. CREATING A JOINT INTERIM COMMITTEE TO STUDY INSURANCE RATES.

Also:

H. J. R. 208. URGING CREATION OF ENVIRONMENTAL LAND AND WATER MANAGEMENT COMMITTEE.

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Also:

H. R. 199. REQUESTING THE ALABAMA STATE DEPARTMENT OF EDUCATION TO STUDY "THE VOLUNTARY QUINMES-TER PLAN".

Also:

H. J. R. 211. REQUEST TO RESTORE VETERANS DAY TO NOVEMBER 11TH.

Also:

H. J. R. 198. CHANGING THE NAME OF VALLEY CREEK STATE PARK TO PAUL M. GRIST STATE PARK.

And the resolutions were adopted.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E), due to illness.

LEAVE OF ABSENCE

At the request of Mr. Timmons, leave of absence was granted for Mr. Dill, due to illness.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1266. Relating to counties having a population of not less than 13,200 nor more than 13,800 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1267. To amend Act No. 1171, Section 3, fixing the salary of Deputy District Attorney No. 1 and Deputy District Attorney No. 2 of Henry County, Alabama, and providing for payment thereof.

Also:

H. 1269. Relating to Counties having a population of not less than 13,200 nor more than 13,800 according to the most recent Federal decennial census; to grant an allowance to the Circuit Clerk of such Counties for clerical assistance.

Also:

H. 1328. To amend Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the oper-

ations, design, equipment and inspection and licensing of ambulances, and which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to provide that certain provisions of this Act shall not apply in Marengo and Sumter Counties and to grant the county governing bodies of such counties certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

Also:

H. 1379. Relating to the eleventh judicial circuit; providing an expense allowance for all judges of such circuit; providing for a county salary supplement for such judges at the beginning of their next term of office.

Also:

H. 1393. To provide that the county governing body, the governing body of any municipality, and the governing body of any hospital in all counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, wherein there is no established emergency ambulance service, shall be authorized and empowered to execute contracts with ambulance services in any adjacent counties to provide for ambulance service to such counties, the municipalities and hospitals thereof.

Also:

H. 1424. To authorize the City of Jacksonville in Calhoun County to establish, maintain and operate a non-profit ambulance service.

Also:

H. 1446. Relating to counties having a population of not less than 52,500 nor more than 54,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowance payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1451. To amend Section 1, Act No. 811, H. 1042, Regular Session 1969 (Acts 1969, p. 1463), which Act regulates the salary of the jailer in Macon County, so as to increase such salary.

Also:

H. 1453. To further amend Section 10, Act No. 334, Regular Session 1939 (Local Acts 1939, p. 225), which Act created and established the board of revenue of Macon County, so as to increase the salary of the members.

Also:

H. 1477. To alter, re-arrange and extend the boundaries and corporate limits of the City of Pelham, Alabama, so as to incorporate certain territory as described herein.

Also:

H. 1479. To alter, re-arrange and extend the boundaries and corporate limits of the Town of Wilsonville, Alabama so as to incorporate certain territory as described herein.

Also:

H. 1518. Relating to all counties having a population of not less than 26,725 nor more than 27,250; regulating the fees applicable to certain services rendered by the circuit court in equity of said counties.

Also:

H. 1528. To authorize and empower the Madison County Commission, upon the request of the president of the jury commission of Madison County, to provide whatever clerical or administrative assistance, as well as any other supplies of any sort or type as may be required in carrying out the duties, functions or obligations of the office; to repeal conflicting laws.

Also:

H. 1531. To amend Act No. 464, H. 1033, approved November 13, 1959, relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

Also:

H. 1344. Proposing an amendment to the Constitution of Alabama relative to the Buttahatchee River watershed Area.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1565. Relating to counties having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; authorizing the county governing body to provide further for the compensation of the judge of law and equity court in such counties.

Also:

H. 1569. Relating to all Counties in the State of Alabama having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial Census; relieving the Clerk and Register of the Circuit Court of all such Counties of the duty of subscribing for, taking, filing, causing to be bound, and kept in their respective offices, copies of daily and weekly Newspapers published in the County.

Also:

H. 1574. Providing for expense allowances for the tax assessor and for the tax collector of counties having populations of not less than 16,000 nor more than 16,250, according to the most recent federal decennial census.

Also:

H. 1602. Relating to Houston County; to provide for a minimum annual salary for all full time county employees and to provide that all annual raises for county employees shall become effective only on October 1, of each year.

Also:

H. 1603. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Also:

H. 1604. To amend Act No. 2017, Alabama Law (Regular Session, 1971) "To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

Also:

H. 1605. To provide for the relief of R. J. Stembridge, J. B. Davis, W. Harvey Hicks, W. E. Yance, Harlie Halstead, Thomas Littlefield, A. A. Middleton, Ed Tolar, Dorman Frith and Jack Wise, all of Houston County; making an appropriation of Five Thousand Thirty Nine Dollars and Forty Cents from the Gasoline fund of said county.

Also:

H. 1606. To provide an expense allowance for the Clerk Circuit Court and the Register of the Circuit Court of Houston County, Alabama.

Also:

H. 1610. To provide in Calhoun County, Alabama, for the creation and maintenance of districts for fighting or preventing fires; to provide that any such district may be created for any area upon the conditions and in the manner provided for in the act; to provide that upon the petition of at least 100 qualified electors residing within any proposed district the Probate Judge

shall call an election at which there shall be submitted to the qualified electors residing within the proposed district the question of whether the proposed district shall be created; to provide what the petition for such election shall contain; to provide for the time and the conduct of such election; to provide that the county shall pay the expense of conducting such election; to provide that if the district is created the district shall reimburse the county for the expenses incurred by the county in respect to the election; to provide that after a district has been established the district shall pay the expense of any election held in the district or held in any area which it is proposed be added to the district; to provide that no district shall be created unless the creation thereof has been approved by the majority of votes cast at the election; to provide that if the creation of the proposed district is approved by the majority of votes cast at the election, the proposed district shall be created and shall constitute a public corporation; to provide that a district may be enlarged by the inclusion of additional area therein, provided the inclusion of such area in the district is approved by the majority of votes cast by the qualified electors residing within the proposed additional area; to provide for the time and conduct of such election; to provide that the affairs and business of the district shall be managed by a board of trustees consisting of five members appointed by the governing body of the county; to provide for the terms of office of the members of the board; to provide that the board of trustees shall elect from its own number a president and a secretary; to provide that the members of the board of trustees shall not be entitled to any compensation for their services but shall be entitled to reimbursement for all expenses incurred by them in the performance of their duties; to define the rights, powers and authority of the districts; to authorize any such district to pledge all or any part of its revenues, or to mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations; to authorize any such district to levy and collect service charges as provided for in the act and, subject to the limitations prescribed in the act, to provide that no such service charge shall be levied unless the same is first approved by a majority of the votes cast at an election held by the qualified electors residing within the district; to provide for the dissolution of any such district; to provide that the provisions of the act are severable; to repeal all laws, or parts of laws, in conflict with the act; and to provide when the act shall take effect.

Also:

H. 1614. To provide for additional compensation and method of payment of the Register of the Circuit Court of Marion County, Alabama, In Equity.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1628. Applicable to any county having a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the coroner of such county.

Also:

H. 1629. Applicable to any county with a population of not less than 25,150 nor more than 26,500 according to the most recent federal decennial census; to provide an expense allowance for the members of the county governing body of such county.

Also:

H. 1632. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette, in Fayette County.

Also:

H. 1642. To provide for additional compensation and method of payment of the Register In Equity of the Circuit Court of counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census.

Also:

H. 1643. Relating to the office of the sheriff in Blount County; regulating the number and compensation of certain officers and employees of the sheriff, subject to certain conditions; providing motor vehicles for the use of the sheriff and providing office space, supplies, equipment and materials necessary for the conduct of such office.

Also:

H. 1644. Relating to Blount County; requiring every county officer, including members of the House of Representatives, within such county to file with the probate judge certain financial data; and providing penalties for failure to comply with the provisions of this act.

Also:

H. 1656. To alter or rearrange the boundary lines of the City of Huntsville in Madison County, Alabama, so as to include within the corporate limits and within the boundaries of said city all territory and property now within such corporate limits, and also certain other additional territory in Madison County, Alabama.

Also:

H. 1665. Relating to counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; levying privilege or license taxes upon sellers, distributors, storers,

or users of malt or brewed beverages; providing for the administration of the act by the county commission, board of revenue, or like governing body of such counties and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

Also:

H. 1666. To authorize and permit flea markets to remain open on Sunday in each county of the State having a population of not less than 90,000 and not more than 100,000 according to the most recent federal decennial census, provided such flea market does not have on duty more than three employees at any one time on Sunday; and to provide for licensing such flea markets by the license issuing officer of such county.

Also:

H. 1667. To authorize and permit grocery stores to remain open on Sunday in each county in the state having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census, provided that each such grocery store shall first obtain a special license from the license issuing officer of such county.

Also:

H. 1668. To amend Section 2 of Act No. 1810, H. 2248, Regular Session 1971 (Acts 1971, p. 2979) relating to the meetings of Boards of Registrars in counties having populations of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census so as to provide further for the acceptance of applications for registration in such counties.

Also:

H. 1697. To amend Section 3 of Act No. 696, H. 957, Regular Session 1967 (Acts 1967, p. 1521), which requires the county commission of Chilton County to draw warrants in favor of the Register of the Circuit Court, in Equity, so as to require such warrants to be drawn in favor of the Deputy Register.

Also:

H. 1717. Relating to Hale County; providing for the election of the associate members of the county governing body.

Also:

H. 1718. To repeal Act No. 2022, H. 2507, Regular Session 1971 (Acts 1971, p. 3261) which provided for the election of the associate members in the county governing body in counties having a population of 15,650 to 16,200.

Also:

H. 1729. Relating to counties having a population of not less than 41,750 nor more than 45,000; to provide for the payment of per diem allowance to members of boards of registrars in such counties.

Also:

H. 1733. To provide deputies and clerks for the office of Sheriff of Houston County, Alabama, to regulate their compensation and provide for

the payment thereof, and to classify deputy bookkeepers and repealing conflicting laws.

Also:

H. 1735. To amend Section 6 of Act No. 938, H. 1359, Regular Session of the Legislature of Alabama 1969, page 1674, approved September 12, 1969, entitled: "An Act to abolish the Board of Revenue for Houston County, created by Act No. 599 H. 898, of the Regular Session of the Legislature of Alabama 1949, and to relieve the judge of probate of Houston County of his duties, powers and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county".

Also:

H. 1736. To provide clerks, Maintenance Engineer and other assistants for certain officers of Houston County, Alabama, to regulate their compensation and provide for the payment thereof, to classify clerks, to transfer Six (6) clerks from the office of Judge of Probate to the Commissioner of Licenses department on a given date and repealing conflicting laws.

Also:

H. 1737. To provide compensation for the Court bailiff of Houston County, Alabama.

Also:

H. 1738. Relating to certain payments from the county treasury of Houston County, Alabama, to certain county officers, and repealing conflicting laws.

Also:

H. 1348. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the election and qualifications of said superintendent.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

H. 2147 RECOMMITTED

On motion of Mr. McBride to recommit, the Speaker recommitted the bill, H. 2147, to the Standing Committee on Local Legislation No. 2.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 752. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

Also:

H. 955. To provide further for the recording fee in the probate office of counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the most recent federal decennial census.

Also:

H. 973. Relating to all counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census; authorizing the governing body of any such counties or any municipality within such counties to provide recreational facilities and services; to provide for the creation, establishment, maintenance, and support of a recreation board in any such county or municipality; and to provide for the duties and powers of such boards.

Also:

H. 1006. To provide further for the selection of textbooks and instructional materials for use in public schools in counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census.

Also:

H. 1042. To repeal Act No. 162, S. 301, 1957 Regular Session (Acts 1957, p. 217) entitled "To prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense."

Also:

H. 1183. Relating to all counties having populations of not less than 14,000 nor more than 15,000 inhabitants, according to the most recent federal decennial census; amending Section 1 of Act No. 706, H. 989, Regular Session 1967, (Acts 1967, p. 1537), as amended, which section regulates the compensation of the county superintendent of education in said counties, so as to further regulate the compensation of said superintendent of education.

Also:

H. 1246. To amend Section 4 of Act No. 1789, H. 1900, Regular Session 1971 (Acts 1971, p. 2957), which act provides for the selection of the

Superintendent of Education of Geneva County, so as to further provide for his traveling expense; providing retroactive effect.

Also:

H. 1325. Relating to all counties having a population of not less than 24,000 nor more than 24,800 according to the most recent Federal Decennial Census: to provide for expenses to preprint motor vehicle registration assessment sheets and tag receipts not to exceed \$2,500.00 in any one year subject to the approval and appropriation by the County Governing Body.

Also:

H. 1326. To alter, rearrange and extend the boundary lines of the City of Prattville in Autauga County.

Also:

H. 1330. Relating to counties having a population of not less than 39,500 nor more than 41,750 inhabitants according to the most recent federal decennial census; to authorize the county commission of such counties to expend county funds for certain public recreation programs for minors up to 19 years of age.

Also:

H. 1370. Relating to Lowndes County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1372. Relating to judicial procedure in the Thirty-Third Judicial Circuit; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

Also:

H. 1373. To allow prospective jurors to be excused without the presence of the defendant in the Thirty-Third Judicial Circuit of Alabama.

Also:

H. 1374. To abolish the drawing of special venires in capital cases in the Thirty-Third Judicial Circuit of Alabama.

Also:

H. 1377. Relating to the eleventh judicial circuit; providing for the annual compensation of the chief deputy district attorney of such circuit.

Also:

H. 1397. To provide for an expense allowance to be paid the circuit judge and district attorney of the thirtieth judicial circuit; to provide for payment of such expense allowance by the counties comprising such circuit, and to provide that the provisions of this act shall become effective July 1, 1973.

Also:

H. 1408. To provide that the governing body of Cullman County shall be responsible for causing the garbage to be collected and removed from all schools under the jurisdiction of the Cullman County Commission on Education, and shall provide all funds necessary to pay the costs of such garbage collection.

Also:

H. 1421. Relating to Pike County authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of the City of Ozark, Alabama.

Also:

H. 1422. Relating to Pike County, to provide that the Sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1423. Relating to Pike County; authorizing the county governing body to make an appropriation from the county gasoline tax fund for the relief of Troy Hospital Board, doing business as Edge Memorial Hospital.

Also:

H. 1434. Regulating further the compensation and meeting places of members of boards of registrars in counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census.

Also:

H. 1343. To provide for and authorize the incorporation of a public corporation as a political subdivision of the State to be named Buttahatchee River Development Authority, for the development of the Buttahatchee River, its tributaries and watershed, for the purposes of navigation, water conservation and supply, flood control, irrigation, industrial development, public recreation and related purposes; to provide for the composition of the board of directors of the Authority; to specify the powers and duties of the Authority and its board of directors; to authorize the Authority to investigate the resources of the Buttahatchee River watershed, to determine requirements for its full development and control, and to carry out a unified comprehensive program of resource development, together with other powers to effectuate the foregoing objective; to authorize the Authority to acquire land and interests in land by purchase, construction, lease, condemnation or otherwise, and to hold, manage and sell such land and interest therein; to make provisions respecting the establishment and revision of rates, fees and charges for services rendered by the Authority; to provide for the issuance by the Authority for any of its corporate purposes of interest-bearing revenue bonds and notes payable solely out of the revenues of the Authority or out of the revenues of any particular facilities and other property of the Authority, without regard to the specific facilities and other property with respect to which such bonds and notes may have been issued; to provide that such bonds and notes shall constitute negotiable instruments; to provide that such bonds and notes may be secured by a pledge of the revenues from which they are payable, by con-

tracts binding the Authority for the proper application of its revenues and the proceeds of such bonds and notes and by a non-foreclosable mortgage or deed of trust or statutory mortgage lien on the facilities and other property out of the revenues from which such bonds and notes are payable, and to provide that bonds and notes of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by the Authority of obligations respecting facilities and other property acquired by the Authority; to provide for the use of the proceeds of bonds and notes issued by the Authority; to provide for the refunding, by the issuance of bonds and notes of the Authority, of bonds and notes therefore issued or obligations theretofore assumed by it; to provide that bonds and notes issued and contracts entered into by the Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, municipality or other political subdivision of the State; to authorize Marion and Lamar Counties and the municipalities located therein to contribute money to the Authority, without the necessity of an election and with or without consideration therefor; to exempt from all taxation in this State, the Authority, its property, corporate activities, income, revenues, bonds and notes, the income from its bonds and notes, and conveyances, leases and mortgages and deeds, of trust to which the Authority is a party, and to exempt the Authority from payment of certain charges to Judges of Probate; to provide that the Authority shall be exempted from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the State by the Authority; and to provide for certain annual reports by the Authority.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Edwards:

H. 2223. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the registration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 24,000 and not more than 24,800 according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Edwards:

H. 2224. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689), which provides for the reg-

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istration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 12,700 and not more than 13,100 according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. Snell:

H. 2225. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to pay from the county general fund the employer's share of the social security tax for the member of the board of equalization.

Local Legislation No. 1.

By Mr. Kinsey (With Notice and Proof):

H. 2226. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

Local Legislation No. 1.

Notice and Proof H. 2226:

STATE OF ALABAMA
COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) In lieu of any chief deputy sheriff, deputy sheriffs, jailers or matrons heretofore authorized by law, the sheriff of Baldwin County, is hereby authorized to appoint not less than the following number of employees whose compensation shall be paid from any fund of the county treasury each month in the amounts listed below.

Number of Employees Authorized: 1; Rank: Chief Deputy; Compensation: shall be the same as a Lieutenant in Alabama State Highway Patrol.

Number of Employees Authorized 8; Rank: Deputies Compensation: Shall be the same as a State Trooper in Alabama State Highway Patrol.

Number of Employees Authorized: 2; Rank: Sergeants; Compensation: Shall be the same as a Sergeant in Alabama State Highway Patrol.

Number of Employees Authorized: 1; Rank: Matron; Compensation: Shall be the same as a Clerk Stenographer III in the Alabama Department of Public Safety.

Number of Employees Authorized: 1; Rank: Chief Jailer; Compensation: Shall be the same as a Corporal in State Troopers in Alabama State Highway Patrol.

Number of Employees Authorized: 2; Rank: Jailers; Compensation: Shall be the same as a State Trooper in Alabama State Highway Patrol.

Number of Employees Authorized: 1; Rank: Chief Investigator; Compensation: Shall be not less than that made by an Alabama State Highway Patrol Investigator Sergeant, and not more than Alabama State Highway Patrol Investigator Lieutenant; between said limitations, the sheriff shall fix said employees' salary.

The Chief Deputy, Deputies, Chief Investigator, and Sergeants shall begin employment under the provisions of this act in a grade not greater than grade 4 corresponding to the rank listed opposite said position.

Section 2. All above named personnel shall be required to complete such training, schooling and in-service training as are from time to time required and prescribed by the sheriff of Baldwin County, Alabama, such training, schooling and in-service training to be paid by the county governing body.

Section 3. In addition to the compensation referred to in Section 1 of this Act all uniformed personnel of the sheriff's department shall be entitled to a uniform allowance of not less than \$250.00 per year and the prescribed uniforms shall be purchased by the department.

Section 4. In addition to the employees authorized in Section 1 of this Act the sheriff is hereby authorized to appoint as many additional special deputies as he deems necessary, which special deputies shall serve without compensation from the county treasury.

Section 5. All compensation and number of personnel shall be considered to be minimum numbers of personnel and compensation thereof and the same may be increased at the discretion of the Baldwin County Commission but shall not be decreased.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part that remains.

Section 7. Any law or parts of laws which conflict with this Act are repealed.

Section 8. Upon the passage of this Act by the Alabama Legislature and adoption by the Governor, or its otherwise becoming law, it shall become effective October 1, 1973.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BALDWIN COUNTY

J. H. Faulkner, Sr., being duly sworn, deposes and says that he is the Editor of The Baldwin Times, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

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A BILL
TO BE ENTITLED
AN ACT

Was published in said newspaper for four consecutive weeks in the following issues: July 12, 19, 26 and August 2, 1973.

Subscribed and sworn before the undersigned this 15th day of Aug., 1973.

J. H. FAULKNER, SR.,
Editor.

DOROTHY MARTIN,
Notary Public.

By Messrs. McCorquodale and Agee:

H. 2227. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in counties having less than 16,350 nor more than 16,650 population according to the most recent Federal Decennial Census.

Local Legislation No. 1.

By Mr. Owens:

H. 2228. To authorize and provide for the collecting of a twenty-five cent application or issuance fee to be charged by Judges of Probate, License Commissioners, Directors of the County Departments of Revenue, or other like public officer performing like duties relating to the application or issuance of motor vehicle licenses, driver's licenses or permits, marriage licenses, and transfers of motor vehicle licenses in all counties having a population of not less than 15,650 nor more than 16,200, according to the last or any succeeding federal census, and, provided further, however, that no affidavit fee of twenty-five cents presently prescribed by law in said counties shall be collected for affidavits taken or required in the course of the application of issuance of licenses or transfers.

Local Legislation No. 1.

By Mr. Perloff (With Notice and Proof):

H. 2229. To amend further Section 9 of Act No. 243, H. 278, First Special Session 1964 (Acts 1964, P. 326), as amended, which fixes the membership of the Board of Policemen's and Fire Fighters' Pensions of the City of Mobile, so as to provide for election of certain members of such board, to amend Sections 14 and 15 of Act No. 243, H. 278, First Special Session 1964 (Acts 1964, P. 326), as amended which provide for the retirement of members or former members of the Mobile Police and Fire Departments, so as to provide that except in the case of a merit raise, no member's salary shall be raised within six (6) months before retirement.

Local Legislation No. 3.

Notice and Proof H. 2229:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 9 of Act No. 243, H. 278, First Special Session 1964 (Acts 1964, P. 326), as amended, which fixes the membership of the Board of Policemen's and Fire Fighters' Pensions of the City of Mobile, so as to provide for election of certain members of such board, to amend Sections 14 and 15 of Act N. 243, H. 278, First Special Session 1964 (Acts 1964, P. 326), as amended which provide for the retirement of members or former members of the Mobile Police and Fire Departments, so as to provide that except in the case of a merit raise, no member's salary shall be raised within six (6) months before retirement.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act No. 243, H. 278, First Special Session 1964 (Acts 1964, P. 326), as amended, is further amended to read as follows:

"Section 9. (a) The board, created by the Board of Commissioners or other governing body of the City of Mobile to carry out the provisions of this Act, hereinafter referred to as 'the board' shall be designated 'The Board of Policemen's and Fire Fighters' Pensions of the City of Mobile.' The Board shall consist of five reputable persons who are bona fide residents of the City of Mobile, over the age of twenty-one, who do not hold any salaried office with the City or County of Mobile; one active member of the Mobile Police Department, to be elected by the active members of the Mobile Police Department who hold membership in the Mobile Police and Firefighters Pension and Retirement Fund, and one active member of the Mobile Fire Department, to be elected by the active members of the Mobile Fire Department who had membership in such fund shall also serve as members of the Board; such elections shall be by secret ballot under the supervision of the City Clerk, City of Mobile. Members of the Board shall hold office for terms of six years and until their successors are either appointed or elected as the case may be; however, any member may be removed at any time for good cause by the said Board of Commissioners or other governing body of the City of Mobile. No member of the Board shall receive any compensation for serving as a member thereof.

"(b) The Board shall organize by the election of a Chairman and Vice-Chairman and shall meet not less than once each month and at such other time as may be considered necessary upon call of the Chairman. Five members of the Board shall constitute a quorum for transaction of business.

"(c) Separate and adequate records shall be kept by the Board of all of its meetings and proceedings, which records shall be public and shall be subject to inspection on order of the governing body of the City of Mobile at any time.

"(d) The Board of Commissioners or like governing body of the City of Mobile shall appoint, subject to the merit system of the City, and pay from the General Fund of the City the salary of a Secretary of the Board of Pensions, who shall be responsible for records required in this section and Section

22 hereof and shall perform such other duties as may be prescribed by the Board.

“(e) The Board of Pensions as a group or the individual members thereof shall provide bond in such overall amount or such individual amounts as the Board in its sole discretion shall deem adequate, but which in the aggregate shall total no less than \$15,000 conditioned upon faithful performance of its, or their duties; the premium of such bond or bonds, to be paid by the City of Mobile from the General Fund.

“(f) All applications for pensions and relief under this Act shall be heard the determined by the Board of Pensions.

“(g) Vacancies on the Board for any cause shall be filled by appointment of the governing body of the City of Mobile for the unexpired term; except that any vacancy caused by the death, retirement, resignation, incapacity, or removal of a Board Member elected from the membership of either the Mobile Police Department or Mobile Fire Department shall be filled by a special election participated in by the active members of the department affected by such vacancy, who hold membership in the Mobile Police and Firefighters Pension and Relief Fund. Voting shall be conducted by secret ballot under the supervision of the City Clerk, City of Mobile.

Section 2. Section 14 of Act No. 243 H. 278, First Special Session 1964 (Acts 1964, P. 326), is amended to read as follows:

“Section 14. (a) Any member or former member of the police or fire department who has been in the service thereof for as long as twenty consecutive years, upon making written application to the Board of Pensions therefor, shall, without medical examination or disability, be retired from service in such police or fire department; and, upon such retirement, the said Board of Pensions shall direct the payment to such retired member monthly from the Fund herein created a sum equal to fifty per cent of the monthly compensation or salary received by such member as salary in such fire or police department at the time of his retirement; provided, however, that said payments to said retired member of the police or fire department shall not commence or be effective earlier than the fifty-fifth birthday of the member.

“(b) Any member or former member of such police or fire department who has been in the service thereof for as long as twenty-five years, the last ten years of which have been continuous, upon making written application to the Board of Pensions shall, without medical examination or disability, be retired from service of such fire or police department, and upon such retirement, the said Board shall direct the payment of such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to fifty-two and one-half per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

“(c) Any member or former member of such police or fire department who has been in the service thereof for as long as thirty years, the last ten years of which have been continuous, upon making written application to the Board of Pensions therefor, shall without medical examination or disability, be retired from service of such police or fire department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, month-

ly from such Fund, a sum equal to fifty-five per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

“(d) Any member or former member of such police or fire department who has been in the service thereof for as long as thirty-five years or longer, the last ten years of which have been continuous, upon making written application to the Board of Pensions thereof shall, without medical examination or disability, be retired from service of such police or fire department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to sixty per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.”

Section 3. Section 15 of Act No. 243 H. 278, First Special Session 1964 (Acts 1964, P. 326), is amended to read as follows:

“Section 15. Except in case of a merit raise, no member's salary shall be raised or increased within six (6) months before retirement, unless said increase would be effective for all members of the Fund; provided, however, that any member may be retired at the highest rank held during his tenure of service.”

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 25, August 1, 8, and 15, all in the year 1973.

E. E. KOCH.

Sworn to and subscribed before me August 17, 1973.

GARY L. RICHARDSON,
Notary Public.

By Mr. Reid (R) (With Notice and Proof):

H. 2230. To alter, rearrange and extend the corporate limits of the Town of Allgood, Alabama so as to annex certain territory to the town.

Local Legislation No. 1.

Notice and Proof H. 2230:

NOTICE OF PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice, is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the corporate limits of the Town of Allgood, Alabama so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1: The boundaries and corporate limits of the Town of Allgood, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of the Town the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit: The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14, Township 13 South, Range 1 East, situated and being in Blount County, Alabama.

Section 2: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 26, August 2, 9, and 16, all in the year 1973.

MRS. R. M. HOWARD.

Sworn to and subscribed before me this 16th day of August, 1973.

JANE HILL,
Notary Public.

By Messrs. Barron, Taylor, Jones (F) and Hobbie:

H. 2231. To amend Title 13, Section 125(75d), Code of Alabama, as amended relating to the payment of supplemental salaries by Montgomery County to deputy district attorneys in the fifteenth judicial circuit.

Local Legislation No. 4.

By Messrs. Hill and Flippo (With Notice and Proof):

H. 2232. To abolish the Lauderdale County Court; to provide for the transfer of cases now pending in said Lauderdale County Court to the court

hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as the District Court of Lauderdale County, defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Local Legislation No. 1.

Notice and Proof H. 2232:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the Lauderdale County Court; to provide for the transfer of cases now pending in said Lauderdale County Court to the court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as the District Court of Lauderdale County, defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Lauderdale County Court created by Act No. 27, H. 102, Special Session 1964 (Acts 1964, p. 47) is hereby abolished.

Section 2. All cases now pending in said Lauderdale County Court hereby abolished shall be transferred to the court created by this act, together with all papers and judgment entries pertaining to said cases, and further proceedings thereon had in said court shall be as if such case or case had originated therein.

Section 3. There is hereby established a court in and for said county which shall be called and known as the District Court of Lauderdale County. The District Court of Lauderdale County shall not be considered a court of record.

Section 4. The court established by this act shall have civil jurisdiction in cases at law in which the matter in controversy does not exceed one thousand dollars (\$1,000), exclusive of interest, attorney's fees, and costs, said jurisdiction to be concurrent with the jurisdiction of any other court in the county having jurisdiction in such cases.

Section 5. The court established by this act shall have original criminal jurisdiction of all misdemeanors committed in Lauderdale County, and all peace proceedings commenced in said county; full, complete, unlimited and

exclusive jurisdiction over all juvenile matters in the county and it shall have preliminary jurisdiction of all felony, bastardy and peace proceedings cases and of all other criminal and quasi-criminal proceedings heretofore cognizable in justice of peace courts and exclusive and original jurisdiction of all cases arising under Article 3, Chapter 4, Title 34, Code of Alabama 1940, as amended.

The judge of said court shall be authorized to appoint a probation officer who shall serve at the pleasure of the judge. The compensation of such officer shall be fixed by the judge, subject to the approval of the county governing body, and the county's share of such compensation shall be paid out of the general fund of the county in the same manner as other county employees are paid.

Section 6. In all criminal cases in this court hereby established, wherein justices of the peace had jurisdiction prior to October 1, 1961, there shall not be charged a solicitor's fee. In all other criminal cases solicitor's fees shall be taxed and collected as provided for under the general laws of the State of Alabama for criminal cases. The district attorney of the eleventh judicial circuit or his assistant shall serve as prosecuting attorney for the court.

Section 7. The judge of the District Court of Lauderdale County must be a resident and qualified elector of Lauderdale County, admitted to the practice of law in the State of Alabama and not less than 25 years of age. The judge of the Lauderdale County Court, herein abolished, shall be the first judge of the District Court of Lauderdale County, herein created, and he shall serve as such judge until his successor is elected and qualified as herein provided. A judge of the court shall be elected by the qualified electors of Lauderdale County at the general election in November 1976, and every six years thereafter. He shall hold office for a term of six years from the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. The judge shall devote his full time to the duties of office and shall not engage in the practice of law in any court of this State or of the United States.

Section 8. The judge of the District Court of Lauderdale County shall receive a salary of twenty thousand dollars (\$20,000) per annum, payable in equal monthly installments out of the general fund of Lauderdale County, Alabama. The judge of such court may employ a clerk-secretary and fix the salary therefor at not more than \$500 per month, payable out of the general fund of the county.

Section 9. The circuit court clerk of Lauderdale County shall be ex officio clerk of the District Court of Lauderdale County. Said clerk shall have the power to issue search warrants and shall also have all the powers and authority, both ministerial and judicial, which are now or which may hereafter be vested in the clerk of the circuit court of Lauderdale County. Said clerk shall be entitled to fees in all civil causes as hereinafter set out in section 13 and in all criminal cases the clerk shall be entitled to the same fees, and shall be paid in the same manner as are now or may hereafter be allowed to ex officio clerks of county courts, law and equity courts and courts of like jurisdiction under the general laws of the State of Alabama. Said clerk shall likewise be authorized to retain 5 per cent of all fines collected by him as provided in item 16 of Section 198, Title 13, Code of Alabama 1940, as amended, which is provided for other circuit clerks, but such percentage shall be retained by said clerk only if he actually collects such fines. All of said costs and fees

shall be paid into the general fund of Lauderdale County, Alabama. The county governing body may require a bond of the clerk not to exceed five thousand dollars (\$5,000).

Section 10. The clerk of the District Court of Lauderdale County shall keep a docket book or books in which he shall make fair and accurate entries of all causes brought before the court, and shall keep minutes of all the proceedings, including the service and return of process, the appearance of such parties as may appear, the fact of trial, the judgment, including damages, fine and sentence, with costs separately stated, the issuing of execution and to whom issued, with the date thereof and the return thereon, and a memorandum of the items of all costs, including witness fees, which shall be in the same amount and paid in the same manner as now exists in the circuit court of Lauderdale County. The docket or a certified copy thereof shall be evidence of the matters therein stated.

The clerk shall also be under the duty to do any and all other acts necessary or incident to the efficient operation of the court created by this act.

Section 11. Said court shall be in session continuously from day to day. Cases may be set for trial at any time, and the judge may hold court at such times and places in the county as may be appropriate and conducive to the efficient operation of the court. The clerk of said court shall keep and maintain a trial calendar and the placing of any case on said trial calendar with the date of trial shall be notice to all persons.

Section 12. (a) A civil action shall be commenced by the filing of a statement of a claim, including the last known address of the defendant, in concise form and free from technicalities.

(b) A notice to appear shall be served on the defendant to which shall be attached a copy of the statement of the claim, and such service shall be sufficient to give the court jurisdiction of the premises. The time for appearance shall be not more than ten days from the date of the service of said notice, after which time a hearing on the claim shall be had. All processes issued by the court shall be served by the sheriff of Lauderdale County or by registered or certified mail with return receipt, or by any person not a party to or otherwise interested in the suit, especially appointed by the judge for that purpose. For the services of such processes, the sheriff shall receive the same fees as are allowed by law to him for similar services performed in the circuit court.

(c) When notice is served by registered or certified mail, the clerk shall enclose a copy of the statement of claim, verification, if any there be, and notice in an envelope addressed to the defendant, at his last known address, prepay the postage and mail the same forthwith, noting on the record the day and hour of mailing. When the return receipt indicating that delivery has been made to the defendant is received, the clerk shall attach the same to the original statement of claim and it shall constitute prima facie evidence of service upon the defendant.

(d) When service is by a private individual, as above provided, he shall make proof of service by an affidavit, showing the time and place of service on the defendant.

(e) The plaintiff shall be entitled to a judgment by default, without further proof, upon failure of defendant to appear as ordered by the court.

When the claim of the plaintiff is verified and for a liquidated amount damages may be assessed without further proof; when the amount is unliquidated, plaintiff shall be required to present proof of his damages.

Section 13. The clerk shall be allowed a fee of \$3.50 in all cases in which the matter in controversy does not exceed \$100.00, and in all cases in which the matter in controversy exceeds \$100.00, the clerk shall be allowed a fee of \$6.00; provided however, that in all proceedings of garnishment, replevin, and attachment the fee allowable to the clerk shall be \$7.00. In addition to all other costs, the clerk shall collect all other costs now or hereafter provided by law.

In all cases when the amount in controversy is \$500 or less, all fees and costs heretofore prescribed to be collected shall be prepaid by the plaintiff on the filing of the claim or on any subsequent action on an execution. The judge of the court shall be authorized to make reasonable rules and regulations as may be necessary to carry out the intent of this section, including rules and regulations for the taxing of court costs against the plaintiff when the claim is exaggerated, and may adjust the same in such manner as to make such costs compatible with existing law.

Section 14. (a) On the return day or within ten days thereafter, as the judge may designate, the trial shall be had. Immediately prior to the trial of any case, the judge shall make earnest effort to settle the controversy by conciliation. If the judge fails to induce the parties to settle their differences without a trial, he shall proceed with a hearing on the merits.

(b) The judge shall conduct the trial in such manner as to do substantial justice between the parties according to the rules of substantive law, and all rules and regulations relating to pleading, practice and procedure shall be liberally construed so as to administer justice.

(c) If the plaintiff fails to appear, the suit may be dismissed for want of prosecution, or defendant may proceed to a trial on the merits, or the case may be continued, as the judge may direct. If both parties fail to appear, the judge may continue the case, or order the same dismissed for want of prosecution, or may make any other just and proper disposition thereof as justice may require.

Section 15. The judge of said-court shall forthwith from time to time make rules for a simple, inexpensive and speedy procedure to effectuate the purposes of this act and shall have full power to prescribe, modify and improve the civil forms to be used therein, including forms of writs of attachment, garnishment and replevin. All rules and forms authorize by this section shall be effective upon approval of the presiding judge of the circuit court in which Lauderdale County is located.

Section 16. (a) Judgments of the District Court of Lauderdale County may be recorded in the same manner, under the same conditions and when so registered, shall have the same effect as judgments in circuit courts.

(b) Upon judgement being entered in any cause, execution may thereupon be issued against the party against whom the judgment is rendered for the amount of such judgment and costs, and such execution shall be directed to any sheriff or constable of the State of Alabama, and shall be of full force throughout the State.

Section 17. Prosecution for misdemeanors committed in Lauderdale County may be commenced in this court by making an affidavit before the judge or clerk of said court, or the proper municipal officer or clerk, writ on said affidavit to be issued by said clerks or officers and when the defendant is arrested on such affidavit, said cause shall go on the docket for trial, and be tried as though the defendant had been indicted by a grand jury. An amendment of the affidavit without the defendant's consent shall entitle the defendant to a continuance.

Section 18. All court costs shall be paid into the county general fund. In any case in which the arrest is made by a municipal officer, the fine shall be remitted to the general fund of the municipality in which the arrest was made; and if the arrest is made by the sheriff, the fine shall be remitted to the general fund of the county.

Section 19. There shall be no right to trial by jury in the District Court of Lauderdale County, either in civil or criminal cases.

Section 20. Appeals from judgments of the District Court of Lauderdale County shall be taken within ten days from date of judgment to the circuit court of the county, in the same manner provided by law for the taking of appeals from county courts.

Section 21. The county governing body shall furnish suitable quarters for the court hereby established and provide the necessary forms, books, records, stationery, equipment, supplies and additional personnel required for the efficient functioning of the court.

Section 22. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 23. All laws or parts of laws which conflict with this act are repealed.

Section 24. This act shall become effective on January 1, 1974.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mellville T. Newman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was State Editor of the Florence Times tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on July 10, 17, 24, and 31, all in the year 1973.

MELLVILLE T. NEWMAN.

Sworn to and subscribed before me August 28, 1973.

LOIS F. ALLEN,
Notary Public.

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By Mr. McDonald:

H. 2233. Relating to any county having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; regulating further the clerk hire allowance for the tax assessor and tax collector.

Local Legislation No. 1.

By Mr. Adwell:

H. 2234. To provide for the Board of Nursing created by Act No. 867 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, P. 1615, ET SEQ.) To issue limited licenses authorizing persons to engage in the practice of practical nursing in counties of the State having a population of 500,000 or more according to the last or any subsequent federal census; to provide the conditions on which such limited license shall be issued and to prescribe the period during which the issuance of such licenses shall continue.

Local Legislation No. 2.

By Messrs. Therrell and Wood:

H. 2235. To authorize and make provisions for the incorporation in any municipality having a population of not less than 175,000 nor more than 250,000 according to the last or any subsequent Federal Decennial Census of an Authority as a public corporation for the purpose of providing public transportation service in such county, upon the filing of an application with, and the authorization of such incorporation by, the governing body of any such municipality within which any such Authority proposes to furnish any such service; to provide for the amendment of the certificate of incorporation of any such Authority for certain purposes at any time, upon the authorization of each such amendment by the governing body of the municipality by which its incorporation was authorized; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance one or more transit systems; to confer on any such Authority the power of eminent domain; to authorize any such Authority to expend funds for the purchase or lease of materials, equipment supplies or other personal property involving less than \$2,000 without compliance with the provisions of Act No. 217 (1967 Special Session) as amended that might otherwise be applicable; to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by it; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of the following: (a) any tax proceeds appropriated, allocated or made payable (in whole or in part) to such Authority by or pursuant to any act of the legislature of this state or by or pursuant to any ordinance, resolution or order of any county in which the Authority is authorized to furnish transportation service or any municipality located in such county and (b) the revenues of any one or more of the transit systems of such Authority, without regard to the system or systems with respect to which such revenue securities

may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which sum securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any transit system, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state, to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that each such Authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such Authority; to require the board of directors of any such authority to adopt an annual budget and to cause annual audits of the books and records of such authority to be made; to permit membership in labor organizations by employees of any such Authority; to provide that no employee of any such Authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; and to provide for the dissolution of any such Authority and the disposition of its property.

Local Legislation No. 3.

By Messrs. Collins and Therrell:

H. 2236. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the registration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 300,000 and not more than 600,000 according to the most recent federal decennial census.

Local Legislation No. 3.

By Mr. McCluskey (With Notice and Proof):

H. 2237. Relating to Talladega County; exempting said county from the provisions of Act No. 403, H. 330, 1971 Regular Session (Acts of 1971,

p. 689), requiring the registration and licensing of barbers and barber apprentices.

Local Legislation No. 1.

Notice and Proof H. 2237:

LEGAL

STATE OF ALABAMA
COUNTY OF TALLADEGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Talladega County; exempting said county from the provisions of Act No. 403, H. 330, 1971 Regular Session (Acts of 1971, p. 689), requiring the registration and licensing of barbers and barber apprentices.

Be It Enacted by the Legislature of Alabama:

Section 1. Hereinafter Talladega County shall be exempt from the provisions of Act No. 403, H. 330, 1971 Regular Session (Acts of 1971, p. 689), requiring the registration and licensing of barbers and apprentices.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles H. Greer, who, being by me first duly sworn, dposes and says that during the times herein mentioned he was Publisher of the Sylacauga News, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 16, July 23, July 30, and August 6, all in the year 1973.

CHARLES H. GREER.

Sworn to and subscribed before me August 6, 1973.

LEE D. GREER,
Notary Public.

By Mr. McCluskey (With Notice and Proof):

H. 2238. To relieve the probate judge of Talladega County of any liability concerning payments mistakenly made under the supposed authority of a repealed Act.

Local Legislation No. 1.

Notice and Proof H. 2238:

STATE OF ALABAMA
COUNTY OF TALLADEGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To relieve the probate judge of Talladega County of any liability concerning payments mistakenly made under the supposed authority of a repealed act.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge of Talladega County is hereby relieved of any liability which exists or may arise as a result of the payment out of county funds under the supposed authority of Act No. 926, H. 1335, Regular Session 1969 (Acts 1969, p. 1665) after said Act was repealed by Act No. 2008, H. 2346, Regular Session 1971 (Acts 1971, p. 3247).

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Charles H. Greer, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sylacauga News, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 30, August 6, August 13, and August 20, all in the year 1973.

CHARLES H. GREER.

Sworn to and subscribed before me August 20, 1973.

LEE D. GREER,
Notary Public.

By Mr. Adams:

H. 2239. Relating to counties having a population of not less than 42,000 nor more than 49,500 according to the most recent federal decennial census; allowing the addition of one clerk in the tax assessor's office of such county; establishing compensation for said position.

Local Legislation No. 1.

By Mr. Adams:

H. 2240. Relating to counties having a population of not less than 42,000 nor more than 49,500 according to the most recent federal decennial

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census; providing for a part-time clerk for the tax collector's office; establishing compensation for such office.

Local Legislation No. 1.

By Mr. Adams:

H. 2241. Relating to counties having a population of not less than 42,000 nor more than 49,500 according to the most recent federal decennial census; allowing the governing body of such county to hire one additional jailer and one additional clerk for the sheriff's department of such counties; setting compensation for such positions.

Local Legislation No. 1.

By Mr. Adams:

H. 2242. Relating to counties having a population of not less than 42,000 nor more than 49,500 according to the most recent federal decennial census; providing for additional compensation for the District Attorney from solicitor's fees' funds, provided such funds' receipts exceed that of the previous calendar year.

Local Legislation No. 1.

By Mr. Coshatt (With Notice and Proof):

H. 2243. To amend and reenact Act No. 1729, H. 2523, Regular Session 1971 (Acts 1971, p. 2894), which act provides for a Personnel Appeals Board for employees of St. Clair County and certain cities therein; so as to eliminate the provisions for employees of said cities within said county; to provide that the city representative to such board be eliminated and in lieu thereof let the St. Clair Hospital Board appoint a member to said Personnel Board; to provide that a violation of this act shall constitute a misdemeanor for any person who discusses a pending case of said personnel board with any member of the board; to provide for compliance with orders of the Board and contempt punishment for failure to comply.

Local Legislation No. 1.

Notice and Proof H. 2243:

STATE OF ALABAMA
COUNTY OF ST. CLAIR

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend and reenact Act No. 1729, H. 2523, Regular Session 1971 (Acts 1971, p. 2894), which act provides for a Personnel Appeals Board for employees of St. Clair County and certain cities therein;

So as to eliminate the provisions for employees of said cities within said county;

To provide that the city representative to such board be eliminated and in lieu thereof let the St. Clair Hospital Board appoint a member to said Personnel Board;

To provide that a violation of this act shall constitute a misdemeanor for any person who discusses a pending case of said personnel board with any member of the board;

To provide for compliance with orders of the Board and contempt punishment for failure to comply.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 1729, H. 2523, Regular Session 1971 (Acts 1971, p. 2894), is hereby amended to read as follows:

"An Act To provide for a Personnel Appeals Board for St. Clair County;

To prescribe the qualifications, terms, duties, and compensation of its members, and to provide rules relating to political activities by employees of St. Clair County;

To provide that it shall be a misdemeanor for any person to discuss any pending case of said Board with any member of the Board;

To provide for compliance with the orders of the Board and contempt punishment for failure to comply; and to provide for retroactive effect of this act."

Section 2. Sections 1, 2, 3, 4, 5, 7 and 12 of Act No. 1729, H. 2523, Regular Session 1971 (Acts 1971, p. 2894), are hereby amended to read as follows:

"Section 1. There shall be established a Personnel Appeals Board in and for St. Clair County, Alabama.

"Section 2. For the purposes of this act the following words and phrases shall have the following meanings:

' "Personnel Appeals Board" hereinafter called the Board shall mean the board created by this act.

' "County" shall mean St. Clair County.

' "County Commission" shall mean the existing county governing body or any such succeeding county governing body of St. Clair County.

' "Employee" shall mean any person regularly employed in a job or position by St. Clair County, or St. Clair County Board of Education, except those exempted in Section 3 of this act.

"Section 3. The provisions of this act shall apply to all officers and employees in the service of the county or any board, agency or instrumentality thereof except:

(a) elective officers; (b) members of appointive boards, commissions, and committees; (c) part time employees; (d) employees with less than 180 days service; (e) teachers, principals or any persons who are covered by the provisions of the teacher tenure laws of Alabama; (f) attorneys, physicians, surgeons, dentists, pharmacists, and optometrists employed by their profes-

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sional capacities; (g) the judge of any court; (h) independent contractors receiving their remuneration from public funds under contracts awarded by competitive bidding.

"Section 4. No person to whom this act applies, shall be appointed or promoted to, or demoted or dismissed from any job or position with the county or in any way favored or discriminated against with respect to his employment because of his political or religious opinions or affiliations.

No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated to secure employment, promotion, increase in pay or any other advantages in employment, with the county for the purpose of influencing the vote or political action of any person or for any consideration. No employee of the county shall, directly or indirectly be required to pay any assessment for any political organization or purpose. No county employee to whom this act applies shall participate in the campaign of any candidate for county office in any capacity other than to exercise his right as a citizen to privately express his opinion and to cast his vote. Any employee of the county to whom this act applies who violates the provision of this section shall forfeit his or her position.

"Section 5. Any employee who, for any cause, has been dismissed, suspended, demoted or whose pay has been reduced, may, not less than 7 days and not more than 14 days thereafter, answer the charges made against him leading to such disciplinary action by filing a written petition, sworn to by proper affidavit and addressed to the Personnel Appeals Board, with the Clerk of said Board. Any person coming under the retroactive provisions of this act, shall have not less than 7, nor more than 21 days from the date this act becomes law for filing said petition.

Upon the filing of such a petition the Chairman of the Personnel Appeals Board shall fix a date not less than 7 nor more than 21 days thereafter for the hearing of said petition. This hearing may be public or private at the discretion of the employee.

Upon the hearing of said petition the Board shall receive all evidence in support of the disciplinary action heretofore mentioned and all evidence in support of the petition. Said Board shall render a written decision covering the issue involved, not later than 10 days following the conclusion of the hearing. The decision of the Board may uphold the disciplinary action or the Board may modify such action in any manner it deems to be just and proper, including the full reinstatement of the petitioning employee with all pay and allowances from the date of the imposition of discipline.

"In case of failure or refusal on the part of any person to comply within 30 days with any valid order of the Board, or any subpoena, or on the refusal of any witness to testify or answer as to any matter regarding which he may be lawfully interrogated, the circuit court, or any judge thereof, on application of the Board, may issue an attachment for such person and compel him to comply with such order, or to attend before the Board and produce such documents and give his testimony upon such matters as may be lawfully required, and the court or judge shall have power to punish for contempt as in cases of disobedience of a like order or subpoena issued by or from such court, or a refusal to testify therein.

"Section 7. There shall be created the Personnel Appeals Board which shall be composed of five members. One member shall be appointed by the

County Commission, one member shall be appointed by the County Board of Education, one member shall be appointed by the St. Clair Hospital Board, one member shall be appointed by the Circuit Judge of the thirtieth Judicial Circuit or such Judicial Circuit as St. Clair County may hereafter become a part and one member shall be appointed by the legislative delegation representing St. Clair County in the Alabama Legislature. One of the members originally so appointed shall serve for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years and one for a term of six years.

The original members of the Board so appointed shall draw lots to determine the length of terms each shall serve. Thereafter all members shall serve for terms of six years each and until their respective successors are appointed as specified above. Any member of the Board whose term shall expire shall be eligible for reappointment.

"No person shall be appointed to the Personnel Appeals Board unless he is over twenty-five years of age, is of recognized character and ability, and is an actual resident in and qualified elector of the county. No person shall be eligible to appointment or shall continue to be a member of the Board who holds an elective office under the state, county, or any municipality therein, or who is a candidate for elective office.

Vacancies on the Board shall be filled for unexpired terms in the same manner as original appointments are made. The Board shall elect a chairman from among its members, who shall preside at its meetings, and any three members shall constitute a quorum for the transaction of any business which may properly come before the Board. Each person so appointed shall, within fifteen days after appointment, qualify by making oath that he will faithfully execute the duties of office to the best of his ability and knowledge, which oath shall be recorded as provided by law. The Board shall adopt reasonable rules regulating the procedure of said Board. Notice of all meetings of the Board shall be given to each member by the Clerk of the Board.

"Section 12. Any person who violates any of the provisions of this act shall be guilty of a misdemeanor, and any person who discusses with a board member any case that is pending before the board, from the time a petition for hearing has been filed until a final written decision is rendered, shall be guilty of a misdemeanor."

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Patsy Hardy, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks, said notice having appeared in the issues of said paper on July 26, August 2, August 9, and August 16, all in the year 1973.

PATSY HARDY.

Sworn to and subscribed before me August 16, 1973.

ANNE T. MILAM,
Notary Public.

By Messrs. King, Lutz, Grainger, Hale and Hearn (With Notice and Proof):

H. 2244. To establish a salary commission for Madison County, Alabama for the purpose of submitting recommendations as to the salary and compensation for elected officials of Madison County, Alabama; to provide for the appointment of the members of said commission and the duties thereof; to otherwise provide for the implementation of this Act; to repeal conflicting laws.

Local Legislation No. 4.

Notice and Proof H. 2244:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To establish a salary commission for Madison County, Alabama, for the purpose of submitting recommendations as to the salary and compensation for elected officials of Madison County, Alabama; to provide for the appointment of the members of said commission and the duties thereof; to otherwise provide for the implementation of this Act; to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established and created in Madison County, Alabama, the Madison County Salary Commission, hereinafter called the commission.

Section 2. The commission shall consist of five members who shall be qualified voters of Madison County. No member of the commission shall be an employee or an elected official of the State of Alabama, of Madison County, or any county or municipality in said state. The members of said commission shall be appointed by the members of the Madison County legislative delegation who reside in Madison County. Vacancies in the commission shall be filled in the same manner as initial appointments are made and they shall be made within thirty days of the vacancy. The members of the legislative delegation who appoint the members of the commission shall elect a chairman of the commission from said membership.

Section 3. The chairman of the commission shall call a meeting of the commission within thirty days of his appointment. At said meeting the commission shall elect a vice-chairman and a secretary.

The chairman shall preside over the meetings of the commission except that in the absence of the chairman the vice-chairman shall preside.

The secretary shall keep a record of the proceedings of the commission.

The commission shall meet at the call of the chairman or upon the request of a majority of the members of the commission. All recommendations of

the commission shall be by majority vote of the members present. Four members of the commission shall constitute a quorum for the transaction of business. The commission may adopt rules of procedure for the conduct of its business so long as such rules are not contrary to the provisions of this Act or of any state law.

Section 4 Members of the commission shall serve without compensation.

Section 5. It shall be the duty and responsibility of the commission to make recommendations to the members of the Alabama Legislature residing in Madison County pertaining to the salary, salary supplements, expense allowances or other entitlements, by whatever name called, that should be received by all elected officials of Madison County, Alabama, including but not necessarily limited to the Circuit Judges elected by the voters of Madison County, the Sheriff of Madison County, the Tax Assessor, the Tax Collector, the District Attorney elected by the voters of Madison County, the Circuit Court Clerk, the Judges of the Madison County Court or any successor court, the Chairman and members of the Madison County Commission, the Probate Judge and the Coroner. The commission shall, among other things, make comparisons of the salary of comparable officials of other counties in Alabama and other states in making the recommendations herein provided. The commission shall make its recommendations by June 30 of each odd numbered year commencing in 1975 and at any other time upon request of the members of the Alabama Legislature residing in Madison County.

Section 6. The term of office for each commissioner shall be four years commencing on the first day of January, 1975. The members of the Alabama Legislature residing in Madison County shall make appointments to the commission within thirty days after their election to said office in November, 1974, and shall make subsequent appointments every four years thereafter in the same manner.

Section 7. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the parts which remain.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on August 1, 8, 15, and 21, 1973.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 21st day of August, 1973.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 9, 1975.

By Messrs. Bank, Robertson, Parker and Culver (With Notice and Proof):

H. 2245. Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which bill relates to the Firemen's and Policemen's Pensions and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit of a fireman or policeman retiring on or after the effective date of this Amendatory Act.

Local Legislation No. 1.

Notice and Proof H. 2245:

STATE OF ALABAMA
COUNTY OF

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act. No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which bill relates to the Firemen's and Policemen's Pensions and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit for a fireman or policeman retiring on or after the effective date of this Amendatory Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 7. Said Firemen's and Policemen's Pension and Relief Fund shall be derived, obtained, and created as follows: A. From the salary of each fireman and each policeman there shall be deducted, and paid into said fund, an amount equal to six per centum of the amount of such salary. Provided that whenever a member of the fire or police department of such city is ineligible to participate in the benefits of such fund by reason of the provisions of this Act, neither such ineligible member nor his salary nor other compensation shall be subject to any assessment for the benefit of such fund. B. Each fire insurance company, including mutual and industrial fire insurance companies, qualified to do business under the laws of Alabama, and doing business in such city, shall annually and on or before the first day of March of each year hereafter, pay into said Firemen's and Policemen's Pension and Relief Fund, a sum equal to one and one-half per centum of the gross premiums, less return premiums, received by such fire insurance company for and on account of business, including all renewals of fire insurance, done by it in the city, during the preceding calendar year; and it shall be unlawful for any such fire insurance company or its agent, to take or receive any premium for insurance against fire within the city unless such fire insur-

ance company shall pay, at the time aforesaid, to the said Firemen's Policemen's Pension and Relief Fund, the amount herein provided to be paid by such fire insurance company; and any such fire insurance company violating any of the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of One Thousand Dollars, to be recovered against such fire insurance company so violating said provisions, or its agent, by suit brought in the name of the city for the use of such fund. Each person, firm, or corporation, which conducts a fire insurance agency or brokerage business in such city, shall annually, within the first ten days of each year, make and file a sworn statement, in writing, with the city clerk of such city, as treasurer of such fund, giving the name and address of each fire insurance company which such person, firm or corporation represented or did business for, as agent or broker, during the preceding year; and any such person, firm or corporation conducting any such fire insurance agency or brokerage business in such city, violating the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of One Hundred Dollars to be recovered against such person, firm or corporation, so violating such provisions, by suit brought in the name of such city for the use of such fund and all such forfeitures and penalties provided for herein, when collected, shall be and become a part of said Firemen's and Policemen's Pension and Relief Fund. Provided, however, that the said sum equal to one and one-half per centum of gross premiums, less return premiums required by this paragraph of this section to be paid by fire insurance companies into said Firemen's and Policemen's Pension and Relief Fund shall be treated and held to be a part of the maximum of four per cent on each one hundred dollars, or major fraction thereof, of gross premiums, less return premiums, which any municipal corporation may by law impose upon any fire insurance company in any one year as a license or privilege tax for the privilege of doing business in such municipality during such year under Section 739 of Title 37 of the Code of Alabama of 1940 as amended or as the same may be amended. C. All firemen and policemen shall promptly pay into such fund all witness fees in criminal cases, and in cases in which they have been summoned by the city, received by them from any court in the county in which such city is situated, and all moneys received by them or any of them as a reward or gratuity for the apprehension of any person, the furnishing of any evidence, the recovery or saving of any property, services at any fire, or otherwise received by them for similar service or for work in the line of his duty. D. There shall be paid into such fund, as and when received, all liquor seizure fees received by any policeman or to which he may be entitled and all amounts received by the city from the State Alcohol Beverage Control Board for confiscated liquors and beverages delivered to it as required by law. E. The Board of Trustees may take by gift, grant, devise or bequest, any money, personal property, real estate or any interest therein or any right of property; and any such gift, grant, devise or bequest may be absolute or in fee simple or upon condition that only rents, income and profits arising therefrom shall be applied to the purposes for which said fund is created. F. The governing body of the city shall cause to be paid into such fund out of the treasury of such city, an amount equal to twelve per centum of the salary of each member of such fire and police department who is eligible to participate in the benefits of such fund, such payment to be made to such fund as and when such salary becomes payable, and deduction therefrom is made as provided in this section."

Section 2. Section 11 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 11. Investment of Portion of Fund.

The Board of Trustees, after considering the probable demands upon the fund, may invest such portion of it as may be safely withdrawn for the purpose. Of that portion of the fund which the Board of Trustees has determined to be available for investment, not less than fifty per cent (50 per cent) shall be invested, or held for investment, in interest bearing bond or securities of the United States of America, bonds of any state in the United States, any bonds lawfully issued by municipalities in the United States, or invested in any insured savings and loan association to the extent that such investment is insured by the Federal Savings and Loan Insurance Corporation, or invested in any commercial bank to the extent that such investment is insured by the Federal Deposit Insurance Corporation; not exceeding fifty per cent (50 per cent) of the money deemed available for investment may be invested in corporate stocks and bonds; not exceeding thirty per cent (30 per cent) of the money deemed available for investment may be invested in real estate loans, secured by a first mortgage thereon. All income from investments shall be and become a part of the fund. All securities belonging to the fund shall be deposited with the treasurer of the fund or, in the event that a financial agent has been employed, may be held by the financial agent and shall be subject to the direction and control of the Board of Trustees."

Section 3. Section 22 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 22. Retirement by Reason of Service and Age.

Any fireman or policeman who has been in the service of the police or fire department for as long as twenty-five (25) years without regard to his then attained age or who has been in the service of said department for as long as twenty (20) years and who has reached the age of sixty (60) years, upon application by him shall be retired and placed on the pension roll by said Board of Trustees."

Section 4. Section 23 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 23. Monthly Benefits for Temporary Disability Arising as Result of Service in Department; Retirement for Permanent Disability.

Whenever the Board of Trustees shall determine that any fireman or policeman has become temporarily disabled, mentally or physically, for service in the department of which he is a member, and that such disability arose from any injury received or accident occurring while engaged in the performance of his duty or is otherwise a direct result of his service in such department the Board of Trustees shall order that such disabled fireman or policeman be paid monthly out of such funds, during the period of such disability, a sum equal to sixty-five (65) per cent of the monthly compensation paid such fireman or policeman as salary at the time of his having become so disabled; provide, that any benefits payable under this section shall be reduced by an amount equal to the amount, if any, which the beneficiary shall receive from such city as salary. The Board of Trustees shall be the sole judge of the extent and cause of any such disability and of the time when such disability has ceased to exist, and the Board's determination thereof shall be final. Whenever the Board of Trustees shall determine that such disability is, or has become, permanent, they shall retire such disabled person and place him upon the Pension Roll and pay him an initial monthly pension equal to sixty-

five (65) per cent of the monthly compensation paid such fireman or policeman at the time of his having become so disabled. The maximum monthly benefit payable hereunder shall be three hundred dollars (\$300), and benefits under this Section shall not be limited by Section 29 herein."

Section 5. Section 25 of Act. No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 25. Payments to Dependents of Member.

For the purpose of this section, children of any policeman or fireman who are under the age of eighteen (18) years, and also the widow of any policeman or fireman while unmarried shall be conclusively presumed to be entirely dependent upon such fireman or policeman.

If any fireman or policeman shall, while in the performance of his duty be killed, or die as a result of any injury received in the line of his duty or shall die from any cause whatsoever as the result of his service, in such department and while in such service; or after having served in such department for more than ten years, the last five years of which were consecutive shall die from any cause while in the service or on the retired or disabled list, and shall leave a surviving spouse (if retired, to whom he was married at the time of his retirement) surviving him, and entirely dependent upon him, the Board of Trustees shall direct the payment to such surviving spouse monthly during his or her natural life, and while unmarried and entirely dependent on such payment, a sum equal to twenty-five per cent of such fireman's salary if a fireman, and twenty-five percent of such policeman's salary if a policeman. If such fireman or policeman leaves surviving him a child or children under eighteen years of age, said Board shall direct the payment monthly from such fund to their surviving parent, whether married or unmarried, for their use and benefit, an amount equal to fifteen percent (15 per cent) of such policeman's or fireman's salary at the time of his death for each child under eighteen years of age not to exceed in the aggregate an amount equal to forty-five percent (45 percent) of such salary, so long as such child or children live with their surviving parent and are under eighteen years of age and are supported by such surviving parent. If such child or children have no surviving parent, or such surviving parent dies during the time such child or children are entitled to such benefit, such sum may be paid by the Board of Trustees to the person having control and custody of such child or children or to such other person as said Board of Trustees may direct, to be expended by such person for the benefit of such child or children as may be prescribed by said Board of Trustees. Should such deceased fireman or policeman leave no surviving spouse or child entitled to benefits as hereinabove set out, but a widowed mother entirely dependent upon him for support, said Board of Trustees shall pay to her monthly during her natural life and so long as she remains unmarried, a sum equal to twenty-five percent (25 percent) of such fireman's monthly salary, if a fireman, and a sum equal to twenty-five percent (25 percent) of such policeman's monthly salary, if a policeman. The maximum benefit payable hereunder shall be two hundred dollars (\$200) per month."

Section 6. Section 29 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 29. Limitations on Amount of Pension Benefits. Under no circumstances shall any retired fireman or policeman be paid a pension or

other benefit of more than One Hundred Twenty-five Dollars (125.00) if he has contributed to the fund for less than five years, or more than One Hundred and Fifty Dollars (\$150.00) per month if he has contributed to the fund for five years and less than ten years, or more than One Hundred Seventy-five Dollars (\$175.00) per month if he has contributed to the fund for ten years and less than fifteen years, or more than Three Hundred Dollars (\$300.00) per month if he has contributed to the fund for fifteen years or more. Provided, however, that the above Three Hundred Dollar limitation, only with regard to any fireman or policeman (including those on the retired list) who has contributed to the fund for fifteen years or more and who has twenty-five years or more of service in the department, may be increased by the Board of Trustees in such amount as an actuarial study may indicate is justified by the fund's condition. Such increase in the Three Hundred Dollar limitation, as herein authorized, shall be made by the Board of Trustees by resolution duly spread upon its Minutes, and no such increase shall be authorized unless and until an actuarial evaluation, made by some person, firm, or corporation experienced and nationally recognized in the field of actuarial evaluation, indicates the financial soundness of such increase. For the advice of the Board, such actuarial evaluation shall be requested at intervals not exceeding twenty-four (24) months."

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James B. Boone, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 30, August 6, 13, and 20, all in the year 1973.

JAMES B. BOONE, JR.

Sworn to and subscribed before me August 20, 1973.

LILLA COLLINS,
Notary Public.

By Messrs. Doss, Erdreich, Falkenburg, McMillan, Ellis, Boles, Hughes, Wallace, Timmons, Meeks, McBride, Waggoner, McNair, Boutwell and Adwell (With Notice and Proof) :

H. 2246. To amend Section 2 and to further amend Sections 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 entitled "AN ACT TO PROVIDE A SEPARATE RETIREMENT AND RELIEF SYSTEM FOR CERTAIN OF THE PRESENTLY ACTIVE EMPLOYEES OF THE CITY OF BIRMINGHAM WHO ENTERED THE SERVICE OF THE POLICE DEPARTMENT OF SAID CITY PRIOR TO SEPTEMBER 19, 1939, AND TO WHOM IS APPLICABLE THE PENSION AND RELIEF SYSTEM

PROVIDED BY ACT NO. 502 OF THE REGULAR SESSION OF THE LEGISLATURE OF 1923, AS REENACTED AND AMENDED: TO INCLUDE IN SAID SEPARATE SYSTEM DEPENDENTS OF SAID PRESENTLY ACTIVE EMPLOYEES: AND TO RENDER SAID ACT NO. 502 INAPPLICABLE TO SAID CERTAIN PRESENTLY ACTIVE EMPLOYEES AND THEIR DEPENDANTS”.

Local Legislation No. 2.

Notice and Proof H. 2246:

Notice is hereby given of intention to apply at the regular session of the Legislature of Alabama of 1973 for the adoption of an Act which will be as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 and to further amend Sections 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 entitled “AN ACT TO PROVIDE A SEPARATE RETIREMENT AND RELIEF SYSTEM FOR CERTAIN OF THE PRESENTLY ACTIVE EMPLOYEES OF THE CITY OF BIRMINGHAM WHO ENTERED THE SERVICE OF THE POLICE DEPARTMENT OF SAID CITY PRIOR TO SEPTEMBER 19, 1939, AND TO WHOM IS APPLICABLE THE PENSION AND RELIEF SYSTEM PROVIDED BY ACT NO. 502 OF THE REGULAR SESSION OF THE LEGISLATURE OF 1923, AS REENACTED AND AMENDED: TO INCLUDE IN SAID SEPARATE SYSTEM DEPENDENTS OF SAID PRESENTLY ACTIVE EMPLOYEES: AND TO RENDER SAID ACT NO. 502 INAPPLICABLE TO SAID CERTAIN PRESENTLY ACTIVE EMPLOYEES AND THEIR DEPENDANTS”.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955 approved September 9, 1955, be amended to read as follows:

“Section 2. DEFINITIONS.

The following words, terms and phrases, wherever used in this act, including this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

“The City”: The City of Birmingham.

“The 1923 system”: The pension and relief system provided by Act No. 502 of the Regular Session of the Legislature of 1923, whether as originally enacted or as re-enacted or amended.

“The System”: The retirement and relief system established by this act.

“In the service”: In the service of the City as a member (other than a reserve force member) of its police department or as a jail warden before, on or after the effective date of this act.

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"Salary": Money remuneration, including longevity pay, less the exclusions hereinafter enumerated, of a qualified employee for time in the service. Salary within the meaning of this Act shall not include over-time pay or compensation for extra work in addition to regular pay or salary, nor cash payments in lieu of vacation.

"Payroll period": A period of time for which a payment of salary is ordinarily made.

"Earnable daily rate": Monthly rate of salary for time in the service divided by thirty.

"Salary days": Such number of days of a payroll period as equals the actual amount of salary paid to or for, or to and for a member of the system for time in the service in such payroll period, divided by the daily earnable rate of such member for such payroll period.

"Paid membership time": The aggregate of salary days of a member of the system from the salary for which deduction is made pursuant to the provisions of this act for the treasury of the city. Three Hundred sixty salary days shall constitute a year of paid membership time, but this shall not be construed to mean that less than 365 actual days may be counted as a year of creditable time.

"Prior service time": Time of a member of the system in the service prior to the effective date of this act, or as a member brought under this Act by amendment prior to the effective date of such amendment, except time in the service prior to said effective date for which the member of the system may have received no service pay from the city.

"Creditable time": The creditable time of a member of the system shall include all his prior service time and all his paid membership time.

"Final average salary": The final average salary of any member of the system for purposes of this act shall be the total amount of his salary for such period of two years of consecutive creditable time as may be most favorable to him, divided by twenty four; provided, however, that if because of fault, misconduct or inefficiency upon his part a member of the system shall have been demoted more than two years prior to date of his retirement or date of commencement of his disability, as the case may be, such most favorable period shall be subsequent to date of demotion; provided, further, that if a member of the system shall have been demoted for such cause within two years of date of his retirement or date of commencement of his disability, as the case may be, his final average salary shall be the total amount of his salary for the two years of his creditable time next preceding date of his retirement or date of commencement of his disability, as the case may be, divided by twenty four; and provided, further, that a member of the system shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned, salary for the purpose of deduction from salary under Section 3 of this act.

"Beneficiary": One in whose favor monetary benefits hereunder are accruing on account of retirement, widowhood, childhood or disability.

"Severance nominee": One designated as such under Section 9 of this act.

"The Comptroller": The comptroller of the city, or if hereafter the employee of the city whose duties are those of treasurer or chief financial employee shall be known by some other title, then the employee having said duties.

"The board": The board of managers provided for by Section 15 of this act for the administration, management and control of the system.

Section 2. That Section 6 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, as heretofore amended, be and the same is hereby further amended to read as follows:

"Section 6. RETIREMENT ALLOWANCES.

(a) Any member of the system who shall be now or hereafter of the age of sixty or more years, and who shall have now or hereafter accumulated fifteen or more years of creditable time, or any member of the system who, regardless of age, shall have now or hereafter accumulated twenty-five or more years of creditable time shall be entitled to voluntarily retire from the service and obtain a retirement allowance, and if, being so entitled to voluntarily retire and obtain a retirement allowance he should voluntarily retire, or be involuntarily retired from the service, he shall be entitled to a monthly retirement allowance from the treasury as hereinafter in this subsection (a) of this section specified. The monthly amount which shall be allowed any member of the system who shall be entitled to a retirement allowance under this subsection of this section shall be two percentum (2%) of his final average salary multiplied by such number of years of his creditable time as shall not exceed thirty years of his creditable time, but in no event shall such monthly retirement allowance exceed sixty percent (60%) of his final average salary. The amount of any retirement allowance under this subsection of this section shall commence to accrue at date of retirement, (b) Any member of the system who shall not be entitled to voluntarily retire and obtain a retirement allowance under subdivision (a) of this section, and who may be involuntarily retired after having accumulated twenty (20) years of creditable time, shall be entitled to a monthly retirement allowance from the treasury equal to two percentum (2%) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed sixty percentum (60%) of his final average salary. Anything hereinabove to the contrary notwithstanding, no retirement allowance shall be made or paid under this subdivision of this section to any person under sixty years of age unless, within sixty days after date of involuntary retirement or dismissal of such person the personnel board or other agency governing tenure of service of employees of the city shall certify that such employee has not contributed by his own fault or misconduct of his separation. (c) The board may treat the end of the payroll period next before actual date of retirement of a member of the system as the date of his retirement for purposes of computation, and for such purposes may disregard a fraction of a year of creditable time less than one-fourth ($\frac{1}{4}$ th). (d) Subject to the provisions of subsections (e) and (f) of this section, the amount of any retirement allowance which may have commenced to accrue in accordance with the provisions of this act shall continue to accrue throughout the life of such person. (e) If, after any person shall have retired or been retired as hereinabove in this section provided, and the amount of his retirement allowance shall have commenced to accrue, he should be re-employed in the service, he shall again become a member of the system under the terms of this act and shall again contribute to the treasury as in the case

31st Day

of any other member of the system, and accrual of the amount of his retirement allowance shall be suspended during the period of his renewed employment in the service, and upon any subsequent voluntary or involuntary retirement from the service the amount of his former retirement allowance shall again commence to accrue at the same rate as formerly, and he shall be entitled to allowance of such additional amount, if any, as his additional paid membership time may have earned for him. (f) In the event of the death of any retired beneficiary in whose favor a monthly retirement allowance is accruing, or in the event of the death of any employee member entitled prior to his death to voluntarily retire and obtain a retirement allowance under subsection (a) of this Section 6, his spouse and child, or children, shall be entitled to a monthly allowance in the amount hereinafter specified in this subsection (f), subject to the conditions and limitations herein stated. No spouse shall receive any benefit under this subsection (f) unless such spouse was married to the deceased employee for at least two consecutive years while he was employed in the service of the city. No benefit shall be payable under this subsection (f) to a married child, or to a child over eighteen (18) years of age unless he is attending school, or to any child over twenty-one (21) years of age. A child shall be deemed to be attending school during his vacation between school terms, provided he attended school during the next preceding term and expects to return to school when the next term commences. The benefit payable under this subsection (f) shall be an amount equal to forty five percentus (45%) of the retirement allowance the deceased employee was receiving when he died, or forty five percentus (45%) of the monthly retirement allowance he would have been entitled to receive had he retired immediately before his death. Such benefit shall be payable to the deceased employee's spouse, or child or children, in the following order: (1) to the spouse, and (2) if there is no spouse eligible to receive the benefit, then to the child or children of the deceased employee, if any. If the spouse is ineligible to receive the benefit or having commenced to receive it becomes ineligible to continue receiving it, the benefit shall be paid to the child or children on the conditions prescribed. If two or more children are simultaneously entitled to receive the benefit, it shall be divided equally among the children so entitled. (g) If a member of the system be killed in the line of his duty his spouse, and child or children shall be entitled to a monthly allowance in the amount and order herein specified in this subsection (g), subject to the conditions and limitations herein stated. All of the limitations and prohibitions prescribed in subsection (f), next above, in respect to the payment of a benefit to a spouse, or child or children, shall apply to the payment of such benefit to a spouse, or child under this subsection (g); provided, however, that the benefit provided for by this subsection (g) shall be payable without regard to the time during which the marriage between the deceased employee and such spouse existed. The benefit payable under this subsection (g) shall be payable to the classes named in the following order and in the following amounts: (1) To the employees spouse, forty per centum (40%) of the final average salary of such employee. In addition, the spouse shall receive a monthly allowance of ten per centum (10%) of such average salary for each child of such deceased employee; provided, however, that payment of any benefit to the spouse on account of any child, shall be subject to all restrictions above imposed with respect to payment to a child; and provided, further, that the total amount of monthly allowance payable to the spouse for the spouse and for the children shall not exceed fifty per centum (50%) of the final average salary of the deceased employee. (2) If there is no eligible spouse then there shall be paid to such deceased employee's child or children an amount equal

to forty per centum (40%) of the deceased employee's final average salary. In such case the monthly allowance provided hereby for any child of such deceased employee shall be payable to the legal guardian, or to the person who has custody of said child, for the use and benefit of said child provided, however, if such child may legally accept payment of such allowance, it shall be paid to him. (h) The amount of a surviving spouse's allowance, provided for in (f) and (g) above, shall commence to accrue on and the rights of the spouse and shall continue to accrue until the surviving spouse's death. (i) Anything hereinabove to the contrary notwithstanding any employee member who shall have accumulated in excess of thirty (30) years of creditable time shall be entitled, in addition to the retirement allowance hereinabove provided, to an additional monthly amount equal to two percent (2%) of his final average salary multiplied by his number of years of creditable time in excess of thirty. Provided further, however, that the total percent that any employee may receive shall not exceed seventy (70%) percent. (j) The rights of any person heretofore or hereafter retired from the service shall continue to be measured and governed by the terms of the system in effect at the time of such retirement, and should such person die during continuance of such retirement the rights of the spouse and dependents of such deceased retired person and the rights of the spouse and dependents of any other deceased person, shall be measured and governed by the terms of the system in effect at the time of the death of such deceased person and the foregoing provisions of this subsection (j) shall control over anything therefore or hereafter in the system which may be construed to the contrary.

Section 3. That Section 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, as heretofore amended, be and the same is hereby further amended to read as follows:

"Section 7. DISABILITY ALLOWANCES.

(a) If any member of the system shall become totally disabled, either physically or mentally to perform his customary duties, whether by reason of disease, injury, accident or otherwise, and the provisions of subsection (b) of this section shall not be applicable, then, in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled employee shall be entitled to a monthly allowance from the Treasury equal to two per centum (2%) of his final average salary multiplied by the number of years of his creditable time; and the amount of such disability allowance to commence to accrue on the date on which the employee ceases to draw salary as an employee of the city and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. An allowance under this subsection of this section shall be known as an "ordinary disability allowance". (b) If a member of the system shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service, and occurring at a definite time and place, then in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled person shall be entitled to a monthly disability allowance from the treasury equal to seventy per centum (70%) of that amount of his monthly salary from which deductions are being made hereunder at the time of the accident resulting in such total disability, the amount of such total disability allowance to commence to accrue on the date on which the employee ceases to

draw salary as an employee of the city and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties, or substantially comparable duties. An allowance made under this subdivision of this section shall be known as an 'extraordinary disability allowance', but no disability allowance shall be made by the board under this subdivision of this section after thirty-six months after the accident resulting in such disability, or if such accident occurred while the disabled person was employed by another than the city. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance, and unless such resolution be passed within thirty-six months after the accident resulting in disability. In the event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability, and such total disability from such injury should thereafter cease, the board may in its discretion continue him on the disability roll until such time as in the judgment of the board he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. Hypertension, heart disease or respiratory disease shall not be considered as caused by accident so as to entitle an employee member to an extraordinary disability allowance, and no employee member or any person claiming under or by reason of relationship to an employee member shall be entitled to an extraordinary disability allowance as a result of disability caused by hypertension, heart disease or respiratory disease, any other law, general or local, to the contrary notwithstanding. (c) No disability allowance shall be made by the board until after satisfactory proof has been made to the board of total disability by certificate of at least one licensed and practicing physician or surgeon. The board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The board may from time to time require further such certificates and other proof to determine whether total disability still exists. No disability pay shall be allowable or paid to any person for any period for which such person is due or has been paid any salary from or by the city. (d) Resumption of active duty by a member of the system after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purposes of this act, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place, should resume active duty within a time limit of thirty-six months after the accident resulting in total disability and for trial period or periods not exceeding an aggregate of one hundred eighty days within such time limit of thirty-six months after such accident, then such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists, or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions, or any amount payable under Section 11, his right to continuance of disability benefits shall immediately cease. (f) For the purpose of computing disability pay, an employee shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned salary for the purpose of

deductions from salary under Section 3. (g) Anything herein to the contrary notwithstanding, a disability allowance based on disability commencing prior to September 1, 1973, shall be payable at the rate provided for by statute in effect at the time of the commencement of such disability”.

Section 4. The provisions of this Amendatory Act are severable. If any part of the Act is declared invalid, unconstitutional or improperly included therein, such declaration shall not affect the part or parts which remain.

Section 5. This Act shall become effective October 1, 1973, upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of general circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, And that there was published in said newspaper in the issues of July 28, August 4, 11, and 18, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 20th day of August, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Doss, Erdreich, Falkenburg, McMillan, Ellis, Boles, Hughes, Wallace, Meeks, Timmons, McBride, Waggoner, McNair, Boutwell and Adwell (With Notice and Proof):

H. 2247. To amend Section 2, and to further amend Section 6 and 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Act of Alabama, 1966, Special Session Page 280 et seq.) Entitled “An Act To Provide A Separate Retirement And Relief System For Certain Of The Presently Active Employees Of The City Of Birmingham Who Entered The Service Of The Fire Department Of Said City Prior To September 19, 1939, And To Whom Is Applicable The Pension And Relief System Provided By Act No. 307 Of The 1943 Regular Session Of The Legislature Of Alabama, As Amended, And Act Number 22 Of The Second Special Session Of The Legislature Of Alabama Of 1956, To Include In Said Separate System Dependents Of Said Presently Active Employees; And To Render Said Act No. 307 And Act Number 22 Inapplicable To Said Certain Presently Active Employees And Their Dependents.”

Local Legislation No. 2.

Notice and Proof H. 2247:

Notice is hereby given of intention to apply in the Regular Session of the Legislature of Alabama of 1973 for the adoption of an Act which will be as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 and to further amend Section 6 and 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Act of Alabama, 1966, Special Session Page 280 et seq.) Entitled "An Act To Provide A Separate Retirement And Relief System For Certain Of The Presently Active Employees Of The City Of Birmingham Who Entered The Service Of The Fire Department Of Said City Prior To September 19, 1939, And To Whom Is Applicable The Pension And Relief System Provided By Act No. 307 Of The 1943 Regular Session Of The Legislature Of Alabama, As Amended, And Act Number 22 Of The Second Special Session Of The Legislature Of Alabama Of 1956, To Include In Said Separate System Dependents Of Said Presently Active Employees; And To Render Said Act No. 307 And Act Number 22 Inapplicable To Said Certain Presently Active Employees And Their Dependents."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Alabama Acts, 1966 Special Session, Page 280 et seq.) be amended to read as follows:

"Section 2. Definitions.—The following words, terms and phrase, wherever used in this act, including this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

"The City": The City of Birmingham.

"The System": The retirement and relief system established by this act.

"In the service": In the service of the City as a member of its fire department before, on or after the effective date of this act.

"Salary": Money remuneration, including longevity pay, for time in the service.

"Payroll period": period of time for which a payment of salary is ordinarily made.

"Earnable daily rate": Monthly rate of salary for time in the service divided by thirty.

"Salary days": Such number of days of a payroll period as equals the actual amount of salary paid to or for, or to and for a member of the system for time in the service in such payroll period, divided by the daily earnable rate of such member for such payroll period.

"Paid membership time": The aggregate of salary days of a member of the system from the salary for which deduction is made pursuant to the provisions of this act for the treasury of the city. Three hundred sixty salary days shall constitute a year of paid membership time, but this shall not be construed to mean that less than 365 actual days may be counted as a year of creditable time.

"Prior service time": Time of a member of the system in the service prior to the effective date of this act, except time in the service prior to said

effective date for which the member of the system may have received no service pay from the city.

"Creditable time": The creditable time of a member of the system shall include all his prior service time and all his paid membership time.

"Final average salary": The final average salary of any member of the system for purposes of this act shall be the total amount of his salary for such period of two years of consecutive creditable time as may be most favorable to him, divided by twenty-four; provided, however, that if because of fault, misconduct or inefficiency upon his part a member of the system shall have been demoted more than two years prior to date of his retirement or date of commencement of his disability, as the case may, such most favorable period shall be subsequent to date of demotion; provided, further, that if a member of the system shall have been demoted for such cause within two years of date of his retirement or date of commencement of his disability, as the case may be, his final average salary shall be the total amount of his salary for the two years of his creditable time next preceding date of his retirement or date of commencement of his disability, as the case may be, divided by twenty-four; and provided, further, that a member of the system shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned, salary for the purpose of deduction from salary under Section 3 of this act.

"Beneficiary": One in whose favor monetary benefits hereunder are accruing on account of retirement, widowhood, childhood or disability.

"Severance nominee": One designated as such under Section 9 of this act.

"The comptroller": The comptroller of the city, or if hereafter the employee of the city whose duties are those of treasurer or chief financial employee shall be known by some other title, than the employee having said duties.

"The board": The board of managers provided for by Section 15 of this act for the administration, management and control of the system."

Section 2. That Section 6 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Alabama Acts, 1966, Special Session Page 280 et seq.) be amended to read as follows:

"Section 6. Retirement Allowances.—(a) Any member of the system who shall be now or hereafter of the age of sixty or more years, and who shall have now or hereafter accumulated fifteen or more years of creditable time, or any member of the system who, regardless of age, shall have now or hereafter accumulated twenty-five or more years of creditable time, shall be entitled to voluntarily retire from the service and obtain a retirement allowance, and if, being so entitled to voluntarily retire and obtain a retirement allowance he should voluntarily retire, or be involuntarily retired from the service, he shall be entitled to a monthly retirement allowance from the treasury as hereinafter in this subsection (a) of this section specified. The monthly amount which shall be allowed any member of the system who shall be entitled to a retirement allowance under this subsection of this section shall be two percentum (2%) of his final average salary multiplied by such number of years of his creditable time as shall not exceed thirty years of his creditable time, but in no event shall monthly retirement allowance exceed sixty (60%)

per cent of his final average salary. The amount of any retirement allowance under this subsection of this section shall commence to accrue at date of retirement. (b) Any member of the system who shall not be entitled to voluntarily retire and obtain a retirement allowance under subdivision (a) of this section, and who may be involuntarily retired after having accumulated twenty (20) years of creditable time, shall be entitled to a monthly retirement allowance from the treasury equal to two per centum (2%) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed sixty (60%) per centum of his final average salary. Anything hereinable to the contrary notwithstanding, no retirement allowance shall be made or paid under this subdivision of this section to any person under sixty years of age unless, within sixty days after date of involuntary retirement or dismissal of such person the personnel board or other agency governing tenure of service of employees of the city shall certify that such employee has not contributed by his own fault or misconduct to his separation. (c) The board may treat the end of the payroll period next before actual date of retirement of a member of the system as the date of his retirement for purposes of computation, and for such purposes may disregard a fraction of a year of creditable time less than one-fourth ($\frac{1}{4}$ th). (d) Subject to the provisions of subsections (e) and (f) of this section, the amount of any retirement allowance which may have commenced to accrue in accordance with the provisions of this act shall continue to accrue throughout the life of such person. (e) If, after any person shall have retired or been retired as hereinabove in this section provided, and the amount of his retirement allowance shall have commenced to accrue, he should be reemployed in the service, he shall again become a member of the system under the terms of this act and shall again contribute to the treasury as in the case of any other member of the system, and accrual of the amount of his retirement allowance shall be suspended during the period of his renewed employment in the service, and upon any subsequent voluntary or involuntary retirement from the service the amount of his former retirement allowance shall again commence to accrue at the same rate as formerly, and he shall be entitled to allowance of such additional amount, if any, as his additional paid membership time may have earned for him. (f) In the event of the death of any retired beneficiary in whose favor a monthly retirement allowance is accruing, or in the event of the death of any employee member entitled prior to his death to voluntarily retire and obtain a retirement allowance under subsection (a) of this Section 6, his spouse and child, or children, shall be entitled to a monthly allowance in the amount hereinafter specified in this subsection (f), subject to the conditions and limitations herein stated. No spouse shall receive any benefit under this subsection (f) unless such spouse was married to the deceased employee for at least two consecutive years while he was employed in the service of the city. No benefits shall be payable under this subsection (f) to a married child, or to a child over eighteen (18) years of age unless he is attending school, or to any child over twenty-one (21) years of age. A child shall be deemed to be attending school during his vacation between school terms, provided he attended school during the next preceding term and expects to return to school when the next term commences. The benefit payable under this subsection (f) shall be an amount equal to forty-five per centum (45%) of the retirement allowance the deceased employee was receiving when he died, or forty-five per centum (45%) of the monthly retirement allowance he would have been entitled to receive had he retired immediately before his death. Such benefit shall be payable to the deceased employee's spouse, or child or children, in the follow-

ing order: (1) to the spouse; and (2) if there is no spouse eligible to receive the benefit, then to the child or children of the deceased employee, if any. If the spouse is ineligible to receive the benefit or having commenced to receive it becomes ineligible to continue receiving it, the benefit shall be paid to the child or children on the conditions prescribed. If two or more children are simultaneously entitled to receive the benefit, it shall be divided equally among the children so entitled. (g) If a member of the system be killed in the line of his duty his spouse, and child or children, shall be entitled to a monthly allowance in the amount and order herein specified in this subsection (g), subject to the conditions and limitations herein stated. All of the limitations and prohibitions prescribed in subsection (f), next above, in respect to the payment of a benefit to a spouse, or child or children, shall apply to the payment of such benefit to a spouse, or child under this subsection (g); provided, however, that the benefit provided for by this subsection (g) shall be payable without regard to the time during which the marriage between the deceased employee and such spouse existed. The benefit payable under this subsection (g) shall be payable to the classes named in the following order and in the following amounts: (1) To the employee's spouse, forty per centum (40%) of the final average salary of such employee. In addition, the spouse shall receive a monthly allowance of ten per centum (10%) of such average salary for each child of such deceased employee; provided, however, that payment of any benefit to the spouse on account of any child, shall be subject to all restrictions above imposed with respect to payment to a child; and provided, further, that the total amount of monthly allowance payable to the spouse for the spouse and for the children shall not exceed fifty per centum (50%) of the final average salary of the deceased employee. (2) If there is no eligible spouse, then there shall be paid to such deceased employee's child or children an amount equal to forty per centum (40%) of the deceased employee's final average salary. In such case the monthly allowance provided hereby for any child of such deceased employee shall be payable to the legal guardian of, or to the person who has custody of said child, for the use and benefit of said child provided, however, if such child may legally accept payment of such allowance, it shall be paid to him. (h) The amount of a surviving spouse's allowance, provided for in (f) and (g) above, shall commence to accrue at the death of the deceased spouse and shall continue to accrue until the surviving spouse's death. (i) Anything hereinabove to the contrary notwithstanding, any employee member who shall have accumulated in excess of thirty (30) years of creditable time shall be entitled, in addition to the retirement allowance hereinabove provided, to an additional monthly amount equal to two percent (2%) of his final average salary multiplied by his number of years of creditable time in excess of thirty." Provided further, however, that the total percent that any employee may receive shall not exceed seventy (70%) per cent. (j) The rights of any person heretofore or hereafter retired from the service shall continue to be measured and governed by the terms of the system in effect at the time of such retirement, and should such person die during continuance of such retirement the rights of the spouse and dependents of such deceased retired person and the rights of the spouse and dependents of any other deceased person, shall be measured and governed by the terms of the system in effect at the time of the death of such deceased person and the foregoing provisions of this subsection (j) shall control over anything heretofore or hereafter in the system which may be construed to the contrary.

Section 3. That Section 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966, (Ala. Acts, 1966 Special Session, page 280 et seq.) be amended to read as follows:

"Section 7. Disability Allowances. (a) If any member of the system shall become totally disabled, either physically or mentally, to perform his customary duties, whether by reason of disease, injury, accident or otherwise, and the provisions of subsection (b) of this section shall not be applicable, then, in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled employee shall be entitled to a monthly allowance from the Treasury equal to two per centum (2%) of his final average salary multiplied by the number of years of his creditable time, and the amount of such disability allowance to commence to accrue on the date on which the employee ceases to draw salary as an employee of the city and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. An allowance under this subsection of this section shall be known as an "ordinary disability allowance". (b) If a member of the system shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service, and occurring at a definite time and place, then in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled person shall be entitled to a monthly disability allowance from the treasury equal to seventy per centum (70%) of that amount of his monthly salary from which deductions are being made hereunder at the time of the accident resulting in such total disability, the amount of such total disability allowance to commence to accrue on the date on which the employee ceases to draw salary as an employee of the city and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties, or substantially comparable duties. An allowance made under this subdivision of this section shall be known as an 'extraordinary disability allowance', but no disability allowance shall be made by the board under this subdivision of this section after thirty-six months after the accident resulting in such disability, or if such accident occurred while the disabled person was employed by another than the city. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance, and unless such resolution be passed within thirty-six months after the accident resulting in disability. In the event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability, and such total disability from such injury should thereafter cease, the board may in its discretion continue him on the disability roll until such time as in the judgment of the board he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. Hypertension, heart disease or respiratory disease shall not be considered as caused by accident so as to entitle an employee member to an extraordinary disability allowance, and no employee member or any person claiming under or by reason of relationship to an employee member shall be entitled to an extraordinary disability allowance as a result of disability caused by hypertension, heart disease or respiratory disease, any other law, general or local, to the contrary notwithstanding. (c) No disability allowance shall be made by the board until after satisfactory proof has been made to the board of total disability by certificate of at least one licensed and practicing physician or surgeon. The board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The board may from time to time require further such certificates and other proof to determine whether total

disability still exists. No disability pay shall be allowable or paid to any person for any period for which such person is due or has been paid any salary from or by the city. (d) Resumption of active duty by a member of the system after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purpose of this act, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place, should resume active duty within a time limit of thirty-six months after the accident resulting in total disability and for trial period or periods not exceeding an aggregate of one hundred eighty days within such time limit of thirty-six months after such accident, then such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists, or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions, or any amount payable under Section 11, his right to continuance of disability benefits shall immediately cease. (f) For the purpose of computing disability pay, an employee shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned salary for the purpose of deductions from salary under Section 3 of this Act, or under Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956, whichever is applicable. (g) Anything herein to the contrary notwithstanding, a disability allowance based on disability commencing prior to September 1, 1973, shall be payable at the rate provided for by statute in effect at the time of the commencement of such disability."

Section 4. The provisions of this Amendatory Act are severable. If any part of the Act is declared invalid, unconstitutional or improperly included therein, such declaration shall not affect the part or parts which remain.

Section 5. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of General Circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, And that there was published in said newspaper in the issues of July 28, August 4, 11, 18, 1973, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

REGULAR SESSION
31st Day

3989

Sworn and subscribed to on this the 20th day of August, 1973.

KAREN W. ABERCROMBIE,
Notary Public.

By Mr. Hobbie:

H. 2248. To amend Section 7 of Act No. 283, S. 220, Third Special Session 1971 (Acts 1971, p. 4557), an act providing for the incorporation of an authority in any municipality having a population of not less than 70,000 nor more than 135,000 for the purpose of promoting aviation and providing airport facilities for such cities and for the counties in which such cities lie; so as to provide further for the qualifications of the directors of the corporation.

Local Legislation No. 4.

By Mr. O'Daniel:

H. 2249. Relating to counties having a population of not less than 30,000 nor more than 33,575 inhabitants according to the most recent federal decennial census; to validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Local Legislation No. 1.

By Messrs. Wise and Jackson (With Notice and Proof):

H. 2250. Relating to Geneva County; prohibiting the sale of alcoholic beverages in certain places.

Local Legislation No. 1.

Notice and Proof H. 2250:

STATE OF ALABAMA
COUNTY OF GENEVA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Geneva County; prohibiting the sale of alcoholic beverages in certain places.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, firm or corporation to sell or offer for sale any spirituous, vinous, or malt or brewed beverages in Geneva County except within the corporate limits of an incorporated municipality with a full time law enforcement agency and a population of not less than 500 according to the most recent decennial census. Provided, however, that the provisions of this Act shall not apply to any person, firm or corporation possessing a license from the Alabama Alcoholic Beverage Control Board which allows them to sell alcoholic beverages solely for consumption off the premises.

Section 2. Any person, firm, or corporation who violates any provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law.

Section 3. This Act shall become effective upon the approval of the legal sale of alcoholic beverages by the qualified voters of Geneva County.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 5, July 12, July 19, and July 26, all in the year 1973.

ORSEN B. SPIVEY.

Sworn to and subscribed before me August 6th, 1973.

O. T. SPIVEY,
Notary Public.

By Messrs. Cauthen and Slate:

H. 2251. Relating to counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, providing for the salary of the judge of the county court of any such counties.

Local Legislation No. 1.

By Messrs. Bank, Culver, Robertson and Parker:

H. 2252. Applicable to any county having a population of not less than 115,000 nor more than 150,000 according to the last federal decennial census; to exempt registered nurses employed in any state tuberculosis hospital in such county from participating in the state civil service system.

Local Legislation No. 1.

By Messrs. Taylor, Hobbie and Jones (F):

H. 2253. Relating to every city which has a population of not less than 125,000 or more than 133,000 inhabitants, according to the last decennial census; providing for an employee's retirement system for the City of Montgomery which shall be in lieu of any existing acts or ordinances relative to any retirement system for the employees of said city.

Local Legislation No. 4.

By Messrs. Grainger, King, Hale, Hearn and Lutz:

H. 2254. Applying to cities within the State of Alabama having a population of not less than 135,000, nor more than 185,000, according to the last

or any subsequent Federal Decennial Census requiring that no off-premise malt or brewed beverage license shall be issued by the Alcoholic Beverage Control Board of the State of Alabama to an establishment within any such city unless the application therefor has been first approved by the City Council or other governing body of such city, to authorize the City Council or other governing body of such cities to adopt by ordinance such rules and regulations as it may deem necessary and desirable concerning the granting of such applications, to authorize the City Council or other governing bodies of such cities to prescribe by ordinance the type, nature, and design of retail establishments which may now or hereafter be authorized as an off-premise retail malt or brewed beverage license within any such city, and to authorize the City Council or other governing body of such cities to revoke or suspend an off-premise retail malt or brewed beverage license for cause after a public hearing.

Local Legislation No. 4.

By Mr. Boutwell:

H. 2255. To submit to the qualified electors of Alabama an amendment to the Constitution of said state providing that the Alabama Alcoholic Beverage Control Board may in its discretion grant permits to licensed retailers to sell or dispense draft or keg beer or malt beverages anywhere within Jefferson County.

Local Legislation No. 2.

The above bill was read a first time at length as required by the Constitution.

By Mr. Reed (T):

H. 2256. Relating to counties having populations of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census; providing for the appointment of a secretary by the Tax Assessor.

Local Legislation No. 1.

By Mr. Headley (With Notice and Proof):

H. 2257. Relating to Chilton County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Local Legislation No. 1.

Notice and Proof H. 2257:

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Chilton County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Chilton County is hereby authorized to enter into contract for the purchase, lease or contractual services or other modern or updated electronic based systems for bookkeeping recording, indexing and filing of all documents, instruments and writings that are of record in the office of the probate judge, tax assessor and tax collector of said county. Said commission may provide for the microfilming of all records, documents, files, papers or other writings which are required by law to be recorded in the office of the probate judge, tax assessor or tax collector and for such projective and reading equipment as may be necessary. Such microfilms or prints therefrom when duly authenticated by the said probate judge, tax assessor or tax collector, as the case may be, shall have the same force and effect at law as the original record or of copies thereof when made by any other legally authorized means, and may be offered in like manner, and shall be received in evidence in any court where such original record or copy thereof made by other legally authorized means, could have been received in court.

Section 2. The county commission shall provide for the services, equipment and supplies necessary to implement the provisions of Section 1 of this act by either lease or outright purchase or by contractual services, whichever in the discretion of the county commission is deemed to be in the best interest of the county. The probate judge of said county shall be authorized to select the type of services to be used and to recommend and approve all contracts therefor. Because of the specialized nature of such services, all contracts therefor may be made without regard to any applicable statewide or local competitive bid law.

Section 3. All funds necessary and incidental for the implementation of this act shall be paid out of the general fund of Chilton County.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
CHILTON COUNTY

Personally appeared before the undersigned Notary Public in and for said county and state, Tommy M. Patterson, Publisher of the Central Alabama Independent Advertiser, a newspaper published at Clanton, County of Chilton, State of Alabama, who, being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of: July 25, August 1, 8, and 15, 1973.

TOMMY M. PATTERSON,
Publisher.

Sworn to and subscribed before me this 20th day of August 1973.

HELEN ATKINSON MOORE,
Notary Public.

By Mr. Reed (T):

H. 2258. To give statutory recognition to the condominium form of ownership of real property in all counties having a population of not less than 24,500 nor more than 25,000 inhabitants according to the most recent federal decennial census and prescribe regulations therefor.

Local Legislation No. 1.

By Messrs. Erdreich and Doss:

H. 2259. To amend the Title and Sections 3, 10, 11, 14 and 16 of Act No. 2079 adopted at the 1971 Regular Session of the Legislature of Alabama, pertaining to municipal parking authorities incorporated in cities having a population of 300,000 or more according to the last or any subsequent federal census, which sections relate to the definitions set forth in said act, the powers of such authorities, the operation or leasing of parking facilities by such authorities, the bonds of such authorities and security therefor, so as to clarify and grant additional powers regarding the issuance of bonds, the security therefor, the leasing and sale of such facilities and other matters and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act as amended, notwithstanding subsequent changes in the population of the city authorizing its incorporation.

Local Legislation No. 2.

By Mr. Timmons:

H. 2260. Relating to counties having a population of 500,000 inhabitants or more, according to the most recent federal decennial census; to provide that the provisions of the statewide cosmetology Act, viz: Act No. 653, H. 489, 1957 Regular Session, as amended, shall apply to such counties and repealing all conflicting laws.

Local Legislation No. 2.

By Mr. Reid (R):

H. 2261. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent feder-

al decennial census; further regulating the expense allowances of each member of the members of the county board of education.

Local Legislation No. 1.

By Mr. Snell:

H. 2262. Relating to counties having a population of not less than 35,000 nor more than 38,000 according to the most recent federal decennial census; to provide further for the conduct of elections in such counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Local Legislation No. 1.

By Mr. Callahan:

H. 2263. Relating to counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census; to provide that Act No. 1127, S. 477, 1969 Regular Session (Acts 1969, p. 2089) which relates to the disposal of sewage and the installation and inspection of certain plumbing facilities shall not apply to such counties.

Local Legislation No. 3.

By Messrs. Stewart, Merrill and Burgess:

H. 2264. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, providing an additional expense allowance for the coroners of such counties.

Local Legislation No. 1.

By Messrs. Crowe and Naramore (With Notice and Proof):

H. 2265. To abolish the Board of Revenue of Walker County, establish in lieu thereof a Walker County Commission and provide for election of a chairman and members of the Walker County Commission, for the nomination of members thereof from districts herein prescribed and to prescribe the functions, jurisdiction, powers, and duties of such Walker County Commission and the chairman and members thereof.

Local Legislation No. 1.

Notice and Proof H. 2265:

NOTICE

STATE OF ALABAMA COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

REGULAR SESSION
31st Day

3995

A BILL
TO BE ENTITLED
AN ACT

To abolish the Board of Revenue of Walker County, establish in lieu thereof a Walker County Commission and provide for election of a chairman and members of the Walker County Commission, for the nomination of members thereof from districts herein prescribed and to prescribe the functions, jurisdiction, powers, and duties of such Walker County Commission and the chairman and members thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue of Walker County created by Act No. 410, H. 324 of the Special Session of 1966 (Acts 1966, p. 555) is hereby abolished. However, the incumbent chairman and associate member of the Board of Revenue shall continue to hold office, as the chairman and members, respectively, of Walker County Commission established by this act as provided in Section 2, until their successors are elected as therein prescribed.

Section 2. After this act takes effect the governing body of Walker County shall be Walker County Commission, and shall consist of a chairman and four associate members, all of whom shall be qualified electors of Walker County. The chairman and associate members shall each be elected by the qualified electors of the county at large. However, the associate members shall be nominated by the qualified electors of their respective districts. Each member shall at the time of his election and during his continuance in office, be a resident and qualified elector of the district for which he is elected. Walker County is hereby divided into four districts as follows: District No. 1 shall be composed of the following territory:

Begin at the Northwest corner of section 19, Township 12 South, Range 8 West;

Thence, Southerly along the section lines to the Southwest corner of the Northwest $\frac{1}{4}$ of Section 6, Township 14 South, Range 8 West;

Thence, Easterly along the South line of the Northwest $\frac{1}{4}$ and the South line of the Northeast $\frac{1}{4}$ of Section 6 to its intersection with the East line of said section;

Thence, Southerly along the section lines to the Southwest corner of Section 8, Township 14 South, Range 8 West;

Thence, Easterly along the section lines to the intersection of the South line of Section 7, Township 14 South, Range 7 West with the West corporate limits of the City of Jasper;

Thence, Northerly along said corporate limits to its intersection with the North corporate limits of the City of Jasper;

Thence, Easterly along said corporate limits to its intersection with a Northerly extension of the Southwest fork of the main channel of Town Creek;

Thence, generally Southerly, Southeasterly and Southerly, following the meanderings of the Southwest fork and of the main channel of Town Creek to its intersection with the center line of Wright Street;

Thence, Westerly along the center line of Wright Street to its intersection with the center line of Third Avenue;

Thence, Northerly along the center line of Third Avenue to its intersection with the center line of Park Avenue;

Thence, Westerly along the center line of Park Avenue to its intersection with the center line of Fourth Avenue;

Thence, Northerly along the center line of Fourth Avenue to its intersection with the center line of Sixth Street;

Thence, Westerly along the center line of Sixth Street to its intersection with the center line of Ninth Avenue;

Thence, Southerly along the center line of Ninth Avenue to its intersection with the center line of the right-of-way of the Southern Railroad;

Thence, Southeasterly and Southerly along the center line of the right-of-way of the Southern Railroad to its intersection with the South corporate limits of the City of Jasper, at a point in Section 21, Township 14 South, Range 7 West;

Thence, Easterly along said corporate limits to its intersection with the East corporate limits of the City of Jasper;

Thence, Northerly along said corporate limits to its intersection with the South line of Section 12, Township 14 South, Range 7 West;

Thence, Easterly along the South line of said Section 12 to the Southeast corner thereof;

Thence, Northerly along the section lines to the Northeast corner of Section 13, Township 13 South, Range 7 West;

Thence, Easterly along the section lines to the intersection of the South line of Section 8 of Township 13 South, Range 5 West with the boundary between Walker County, Alabama and Cullman County, Alabama;

Thence, generally Northwesterly along said boundary to its intersection with the boundary between Walker County, Alabama and Winston County, Alabama;

Thence, generally Northwesterly and Westerly along the boundary between Walker and Winston Counties to the Northwest corner of Section 19, Township 12 South, Range 8 West, which is the point of beginning.

District No. 2 shall be composed of the following territory:

Begin at the Northwest corner of Section 19, Township 12 South, Range 10 West on the boundary between Walker County, Alabama and Marion County, Alabama;

Thence, Southerly along said boundary to its intersection with the boundary between Walker County, Alabama and Fayette County, Alabama at the Southwest corner on Section 18, Township 13 South, Range 10 West;

Thence, Southerly along the boundary between Walker and Fayette Counties to the Southwest corner of Section 31, Township 13 South, Range 10 West;

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Thence, Easterly along said boundary to the Northwest corner of Section 6, Township 14 South, Range 9 West;

Thence, Southerly along said boundary to the Southwest corner of Section 31; Township 15 South, Range 9 West;

Thence, Easterly along said boundry to the Southeast corner of Section 36, township 15 South, Range 9 West;

Thence, Northerly along the section lines to the Southwest corner of Section 19, Township 15 South, Range 8 West;

Thence, Easterly along the South line of said Section 19 to the Southeast corner thereof;

Thence, Northerly along the section lines to the Northwest corner of the Southwest $\frac{1}{4}$ of Section 8, Township 15 South, Range 8 West;

Thence, Easterly along the half section lines to intersect with the main channel of Lost Creek at a point on the half section line in Section 10, Township 15 South, Range 8 West;

Thence, Northerly and Northeasterly along the main channel of Lost Creek to its intersection with the South line of Section 2, Township 15 South, Range 8 West;

Thence, Easterly along the South line of said Section 2 to the Southeast corner thereof;

Thence, Northerly along the section lines to the Southwest corner of Section 13, Township 14 South, Range 8 West;

Thence, Easterly along the section lines to the intersection of the South line of Section 18, Township 14 South, Range 7 West with the West corporate limits of the City of Jasper at the Southeast corner of said Section 18;

Thence, Southerly along said corporate limits to its intersection with the South corporate limits of the City of Jasper;

Thence, Easterly along said corporate limits to its intersection with the West corporate limits of the City of Jasper at a point which is the Southwest corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 20, Township 14 South, Range 7 West;

Thence, Easterly along the line between the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 20 and the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 20 to its intersection with the East line of said section;

Thence, Easterly along the line between the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 21, Township 14 South, Range 7 West and the line between the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21 to its intersection with the South corporate limits of the City of Jasper at the Southwest corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 21;

Thence, Easterly along said corporate limits to its intersection with the center line of the right-of-way of the Southern Railroad;

Thence, Northerly and Northwesterly along the center line of the right-of-way of the Southern Railroad to its intersection with the center line of Ninth Avenue;

Thence Northerly along the center line of Ninth Avenue to its intersection with the center line of Sixth Street;

Thence, Easterly along the center line of Sixth Street to its intersection with the center line of Fourth Avenue;

Thence, Southerly along the center line of Fourth Avenue to its intersection with the center line of Park Avenue;

Thence, Easterly along the center line of Park Avenue to its intersection with the center line of Third Avenue;

Thence, Southerly along the center line of Third Avenue to its intersection with the center line of Wright Street;

Thence, Easterly along the center line of Wright Street to its intersection with the main channel of Town Creek;

Thence, generally Northerly and Northwesterly, following the meanderings of the main channel and the West fork of the main channel of Town Creek and its Northerly extension to its intersection with the North corporate limits of the City of Jasper;

Thence, Westerly along said North corporate limits to its intersection with the West corporate limits of the City of Jasper;

Thence, Southerly along said West corporate limits to its intersection with the Northeast corner of Section 18, Township 14 South, Range 7 West;

Thence, Westerly along the section line to the Northwest corner of Section 17, Township 14 South, Range 8 West;

Thence Northerly along the section lines to the Northeast corner of the Southeast $\frac{1}{4}$ of Section 6, Township 14 South, Range 8 West;

Thence, Westerly along the North line of the Southeast $\frac{1}{4}$ and the North line of the Southwest $\frac{1}{4}$ of said Section 6 to its intersection with the West line of said Section 6, Township 14 South, Range 8 West;

Thence, Northerly along the section lines to the Northeast corner of Section 24, Township 12 South, Range 9 West on the boundary between Walker County, Alabama and Winston County, Alabama;

Thence, Westerly along said boundary between Walker and Winston Counties to the Northwest corner of Section 19, Township 12 South, Range 10 West on the boundary between Walker and Marion Counties, which is the point of beginning.

District No. 3 shall be composed of the following territory;

Begin at the Northwest corner of Section 24, Township 14 South, Range 8 West;

Thence, Southerly along the section lines to the Southwest corner of Section 1, Township 15 South, Range 8 West;

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Thence, Westerly along the North line of Section 11, Township 15 South, Range 8 West to its intersection with the main channel of Lost Creek;

Thence, Southwesterly and Southerly along the main channel of Lost Creek to its intersection with the line between the North $\frac{1}{2}$ and the South $\frac{1}{2}$ of Section 10, Township 15 South, Range 8 West;

Thence, Westerly along the half section lines to the Northwest corner of the Southwest $\frac{1}{4}$ of Section 8, Township 15 South, Range 8 West;

Thence, Southerly along the section lines to the Southwest corner of Section 20, Township 15 South, Range 8 West;

Thence, Westerly along the North line of Section 30, Township 15 South, Range 8 West to the Northwest corner thereof;

Thence, Southerly along the section lines to intersect the boundary between Walker County, Alabama and Fayette County, Alabama at the Northwest corner of Section 6, Township 16 South, Range 8 West;

Thence, Southerly along the boundary between Walker and Fayette Counties, to its intersection with the boundary between Walker County, Alabama and Tuscaloosa County, Alabama;

Thence, Easterly along said boundary to the Northwest corner of Section 3, Township 17 South, Range 8 West;

Thence, Southerly along the West line of said Section 3 to the Southwest corner thereof;

Thence Easterly along the section line and the boundary between Walker and Tuscaloosa Counties to the Northwest corner of Section 7, Township 17 South, Range 7 West;

Thence, Southerly along said boundary to the Southwest corner of Section 31, Township 17 South, Range 7 West.

Thence, Easterly along said boundary to its intersection with the main channel of the Black Warrior River, which is also the boundary between Walker County, Alabama and Jefferson County, Alabama;

Thence, generally Northeasterly and Northerly, following the meanderings of the main channel of the Black Warrior River, and along said boundary, to its intersection with the main channel of Mulberry Fork on the East line of Section 6, Township 17 South, Range 6 West;

Thence, generally Westerly, Northerly, Northeasterly and Northerly following the meanderings of the main channel of Mulberry Fork to its intersection with the east line of Section 23, Township 14 South, Range 6 West;

Thence, Northerly along the East line of said Section 23 and the East line of Section 14, Township 14 South, Range 6 West to the Northeast corner of said Section 14;

Thence, Westerly along the section lines to the intersection of the North line of Section 13, Township 14 South, Range 7 West with the East corporate limits of the City of Jasper;

Thence, Westerly and Southerly along said corporate limits to its intersection with the South corporate limits of the City of Jasper;

Thence, Westerly along said South corporate limits to the Southwest corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 21, Township 14 South, Range 7 West;

Thence, Westerly along the South line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21 and the South line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21 to intersect the West line of said section at the Southwest corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21;

Thence, Westerly along the South line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 20, Township 14 South, Range 7 West to intersect the South corporate limits of the City of Jasper at the Southeast corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 20;

Thence, Westerly along said South corporate limits to its intersection with the West corporate limits of the City of Jasper;

Thence, Northerly along said West corporate limits to its intersection with the Northeast corner of Section 19, Township 14 South, Range 7 West;

Thence, Westerly along the section lines to the Northwest corner of Section 24, Township 14 South, Range 8 West, which is the point of beginning.

District No. 4 shall be composed of the following territory:

Begin at the Northwest corner of Section 18, Township 13 South, Range 6 West;

Thence, Southerly along the section lines to the Southwest corner of Section 7, Township 14 South, Range 6 West;

Thence, Easterly along the section lines to the Southeast corner of Section 11, Township 14 South, Range 6 West;

Thence, Southerly along the West line of Section 13, Township 14 South, Range 6 West and Southerly along the West line of Section 24, Township 14 South, Range 6 West to its intersection with the main channel of Mulberry Fork;

Thence, generally Southerly, Southwesterly, Southerly and Easterly following the meanderings of the main channel of Mulberry Fork to its intersection with the main channel of Black Warrior River on the East line of Section 6, Township 17 South, Range 6 West, which is also the boundary between Walker County, Alabama and Jefferson County, Alabama;

Thence, generally Northeasterly along said boundary between Walker and Jefferson Counties to its intersection with the boundary between Walker County, Alabama and Blount County, Alabama;

Thence, generally Northerly along said boundary between Walker and Blount Counties to its intersection with the boundary between Walker County, Alabama and Cullman County, Alabama;

Thence, generally Northwesterly along said boundary between Walker and Cullman Counties to its intersection with the North line of Section 17, Township 13 South, Range 5 West;

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Thence, Westerly along the section lines to the Northwest corner of Section 18, Township 13 South, Range 6 West, which is the point of beginning.

No person other than a resident qualified elector of one of such districts shall be qualified to represent that district on the new governing body of Walker County hereby established. A chairman and four associate members of the Walker County Commission shall be elected at the general election in 1976 and every four years thereafter. They shall hold office for four years from the first Monday after the second Tuesday in January next following their election, and until their successors are elected and qualified.

Section 3. The governing body of Walker County established by this act shall perform the same functions, exercise the same jurisdiction, authority and powers and perform the same duties prescribed by law for the governing body of Walker County when this act becomes effective, specifically including those duties enumerated in said Act No. 410 of the 1966 Special Session, and those specified in Act No. 118 of the 1957 Regular Session, as such acts have been amended or supplemented. The chairman and associate members of the Walker County Commission, respectively, shall have and exercise the same powers, rights and authority, fulfill the same responsibilities and perform the same duties as those prescribed by law when this act becomes effective for the chairman and associate members of the county governing body of Walker County, including specifically those powers, duties and authority prescribed in said Act No. 410 of the 1966 Special Session and No. 118 of the Regular Session of 1957, as such acts have been amended or supplemented. In addition thereto the members shall meet on all days they have been heretofore required by law to meet and they shall hold at least one meeting during each quarter of each year at some place in each of the districts into which Walker County is herein above divided.

Section 4. The chairman and members of the Walker County Commission shall each devote their entire time to the duties of their office. For the performance of their official duties the chairman and each associate member shall receive a salary of \$8400.00 per annum. The salaries of the chairman and associate members shall be paid in equal monthly installments from any funds in the county treasury available for that purpose as provided by law and such salary shall be their entire compensation for their services.

Section 5. Before entering upon the discharge of their duties the chairman and associate members of the governing body hereby created shall each execute a bond. In the case of the chairman the bond shall be in the sum of \$10,000. In the case of an associate member the bond shall be in the sum of \$5,000. The bonds shall be payable to Walker County, shall be conditioned as required by law, and shall be filed and recorded in the office of the judge of probate of Walker County. The premiums thereon shall be paid from the county treasury.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are hereby repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared H. S. Prince, Jr., Publisher of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which as a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: July 31, Aug. 7, Aug. 14, and Aug. 20, 1973.

H. S. PRINCE, JR.

Sworn and subscribed to before me, This 20th day of August 1973.

R. W. BOTELER, JR.,
Notary Public.

RESOLUTIONS

The following resolutions introduced on the thirtieth legislative day were read by title pursuant to Joint Rule 12:

H. J. R. 202. GIVING TRIBUTE TO THE LIFE OF JAMES EDWIN HORTON, JR.

H. J. R. 203. THANKING THOSE RESPONSIBLE FOR THE PORK PRODUCERS' BARBECUE.

H. J. R. 204. MOURNING THE DEATH OF MILLIGAN EARNEST.

H. J. R. 205. COMMENDING DR. BURIS R. BOSHELL.

H. J. R. 212. WISHING MRS. ALICE J. DUCK "BEST WISHES" DURING HER RETIREMENT YEARS.

S. J. R. 86. MOURNING THE DEATH OF MERVIN HAYDEN STERNE.

On motion of Mr. McCorquodale, the resolutions were adopted.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1444. Relating to counties having a population of not less than 34,875 nor more than 36,000 inhabitants according to the most recent federal decennial census; to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1463. Relating to counties having populations of not less than 150,000 nor more than 180,000; to allow all Alabama Beverage Control Board licensees to sell wines containing not more than fourteen percent alcohol by volume from bulk containers; and prescribing penalties.

Also:

H. 1490. Relating to all counties having a population of not less than 34,000 nor more than 34,800, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Also:

H. 1492. Providing each judge in the Seventh Judicial Circuit an annual travel expense allowance.

Also:

H. 1493. Relating to the expense allowance of the members of any civil service commission in any city which has a civil service commission in any county having a population of 95,000 to 115,000.

Also:

H. 1494. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the city.

Also:

H. 1495. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to provide a special expense allowance for the tax collector in such counties to be effective only for the period July 23, 1973, through October 1, 1973.

Also:

H. 1498. Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; providing penalties for violations of the Act; and to make the provisions of this Act retroactive to August 31, 1971.

Also:

H. 1499. Relating to Monroe County; providing further requirements for petitions relative to wet-dry referendum elections within such county, so as to require the address and polling place upon the list of petitioners.

Also:

H. 1512. To alter and re-arrange the boundary lines of the Town of Calera, Alabama, so as to include within the corporate limits of said town, all

territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said Town.

Also:

H. 1517. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of members of the county governing body.

Also:

H. 1519. Relating to all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Also:

H. 1520. Relating to Chambers County; to authorize the county governing body to expend county monies for health services, including emergency ambulance services.

Also:

H. 1527. Relating to the storage of records, documents, plats, court files, books, maps, papers, writings or drawings of any other type, or by whatever name called, which may be a part of any county or state office housed in the Madison County Courthouse, or any annex thereof, may be stored in a centralized storage area, located anywhere within Madison County, Alabama; to provide that said storage area shall contain vaults or be so equipped as to properly provide for the storage of said documents; and to provide for the employment of any and all personnel deemed by the Madison County Commission as necessary to properly care for said documents.

Also:

H. 1529. To authorize the Chairman of the Madison County Commission, or other like governing body of Madison County, Alabama, to issue official proclamations.

Also:

H. 1548. To apply in counties having a population of not less than 90,000 nor more than 100,000; to provide for the reimbursement payment of certain expenses for the Judge of the County Court, or Juvenile Court, or Intermediate Court, or other Court of like jurisdiction for attending conferences, seminars, meetings, and Bar Association meetings for the purpose of instruction and Continuing Legal Education.

Also:

H. 1564. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; providing further for the compensation of the District Attorney.

Also:

H. 1566. Relating to any county having a population of not less than 26,725 nor more than 27,250, according to the most recent federal decennial

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census; providing further for the expense allowances of members of the county commission in such counties.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1695. To provide authority for the judge of inferior court of record in counties having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, to defer a juror from jury service to serve at a later time; providing for there to be no lawful objection to such deferment except for fraud; and providing for the payment to any such juror so deferred for his services.

Also:

H. 1719. To authorize the establishment of branch banks in Hale County.

Also:

H. 1720. Relating to Hale County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1728. Relating to Clarke County; authorizing the county commission, in its discretion, to establish an inferior court in said county in lieu of the existing inferior court; providing for the manner of establishing the Clarke County Inferior Court and defining its jurisdiction in both civil and criminal matters, and fixing its terms; providing for the officers of said court and prescribing their powers, duties, authority and compensation; providing for the rules of procedure and the operation of said court and for the transfer of all cases and actions pending in the existing inferior court of said county and for the transfer of the power to control and issue executions and other processes of the existing said court to the Clarke County Inferior Court; and providing for the abolition of the Inferior Court of Clarke County upon the establishment of the court herein authorized.

Also:

H. 1731. To provide additional exemptions from the Marion County sales and use tax law.

Also:

H. 1440. To propose an amendment to the Constitution of Alabama with respect to the filling of vacancies in the office of judge of the circuit court holding at Madison County.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1607. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Falkville, in Morgan County.

Also:

H. 1608. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the city.

Also:

H. 1609. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama.

Also:

H. 1611. Relating to the management of the public records of Colbert County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Colbert County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or microphotographing of old documents and records presently held as public records of Colbert County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

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Also:

H. 1622. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 150,000 nor more than 180,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

Also:

H. 1634. Relating to Walker County; to authorize the board of registrars to provide for special registrars who shall go into the precincts taking applications for voter registration; to provide further for the powers, duties and compensation of such special registrars.

Also:

H. 1639. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Ashville in St. Clair County.

Also:

H. 1641. To amend Section 2 of Act No. 500, S. 423, Regular Session 1963, (Acts 1963, page 1069, Vol. 2), which relates to establishing The Intermediate Court of Walker County in lieu of the Law and Equity Court, so as to increase the maximum amount of a civil action in such court to \$3,000.00 and to provide for a graduated schedule of filing fees, according to the dollar amount of such civil action.

Also:

H. 1648. To provide for the appointment and compensation of a bailiff for use by the Grand Jury of Madison County, Alabama; to place such bailiff under the supervision of the Madison County District Attorney; to repeal conflicting laws.

Also:

H. 1679. To prescribe duties and powers of the stenographic secretary of District Attorney of the second Judicial Circuit.

Also:

H. 1681. Relating to counties having populations of not less than 29,000 nor more than 27,900; providing an expense allowance for the members of the jury commission in such counties.

Also:

H. 1685. Pertaining to Madison County; To provide for the temporary release, at the court's discretion, of certain prisoners in county or city jails for the purpose of obtaining and working at gainful employment.

Also:

H. 1686. Relating to Fayette County; further regulating the compensation of members of the county board of education.

Also:

H. 1687. Relating to Fayette County; further regulating the compensation of the county superintendent of education and giving this act retroactive effects.

Also:

H. 1689. To provide for the office of the sheriff of any county having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census, a system governing the appointment, removal tenure, and official conduct of employees of the sheriff of said county, and to create a board of appeals, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

Also:

H. 1690. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of special supplementary allowances for probation officers of juvenile courts of such counties.

Also:

H. 1692. Relating to counties having population of not less than 75,000 nor more than 90,000 providing for payment of compensation for the Bailiff of the circuit courts and county courts of such counties.

Also:

H. 1693. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of expense allowance for the judges of the county courts of such counties.

Also:

H. 1694. To provide for the appointment and payment of a special judge to sit in any inferior court of record in the event the presiding judge is disqualified, unable to act or otherwise recuses himself in counties having a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

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H. 302. Relating to Chambers County; providing further for the compensation of members of the board of registrars.

Also:

H. 303. To repeal Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241), relating to counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial census, which act abolishes the Court of County Commission of such counties and creates in lieu thereof a County Commission.

Also:

H. 304. Relating to Chambers County; abolishing the Court of County Commission of the county, and creating in lieu thereof the Chambers County Commission; dividing such county into commissioner's districts; providing for the election, terms and qualifications of the commissioners; providing that the probate judge shall have no duties with respect to the county governing body; fixing the compensation of the commissioners; providing for retroactive effect of this Act; and validating all acts of and compensation paid to said commission under the provisions of Act No. 2001, H. 2308, Regular Session 1971 (Acts 1971, p. 3241).

Also:

H. 305. Relating to Chambers County; relieving the chief clerk of the probate judge of such county of any duties as purchasing agent for the county, and authorizing the governing body to appoint another such purchasing agent; repealing conflicting laws and specifically repealing Act No. 495, H. 929, Regular Session 1953 (Acts 1953, p. 623).

Also:

H. 306. To repeal Act No. 1696, H. 2309, Regular Session 1971 (Acts 1971, p. 2856), an act relating to all counties having populations of not less than 35,000 nor more than 38,000, according to the last federal decennial census; relieving the chief clerk of the probate judge of any duties as purchasing agent for the county, and authorizing the governing body to appoint another purchasing agent.

Also:

H. 444. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Also:

H. 1170. To provide for the compensation of jurors in counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census.

Also:

H. 1599. To amend Act No. 140, H. 108, First Special Session 1971 (Acts 1971, p. 218), which act authorizes demolition of certain buildings in certain cities based on population classification, so as to provide further that notice be given to all mortgagees of such buildings and also providing notice

be given to any architectural review boards, historic development commissions or other regulatory boards in such cities.

Also:

H. 1624. Relating to all counties having populations of not less than 300,000 nor more than 600,000, further regulating the sale and consumption of alcoholic or malt or brewed beverages during certain hours in certain places licensed by the Alabama Alcoholic Beverage Control Board.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 167. Commending Mrs. Juanita Ledbetter upon being named President of the Alabama Association of School Office Personnel.

Also:

H. J. R. 168. Mourning the death of Mr. William A. Oldacre.

Also:

H. J. R. 169. Commending Mr. Bart Starr.

Also:

H. J. R. 170. Commending John T. "Tommy" Kirk.

Also:

H. J. R. 171. Commending Lewis E. McCray for His American Legion and Other Civic Activities, and Wishing Him the Best of Luck Toward His Election as National Commander of the American Legion.

Also:

H. J. R. 173. REQUESTING STATE PERSONNEL BOARD TO SURVEY ENVIRONMENTAL AND INDUSTRIAL PROFESSIONAL AND TECHNICAL PERSONNEL CLASSIFICATIONS IN SOUTHEASTERN REGION.

Also:

H. J. R. 180. MOURNING THE DEATH OF JOHN MYRICK ASHLEY, JR.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House bills, to-wit:

H. 301. Relating to Chambers County: To create and establish in Chambers County, in lieu of the County Court and the Juvenile Court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Civil and Criminal Court of Chambers County, Alabama; providing it with officers and providing their powers, and duties; naming the Judge of Probate to also serve as the Judge of said Court; regulating its procedure and process, and for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible therein; providing for the disposition of costs, charges, commissions, fines and forfeitures collected therein; providing a special trial tax on civil and criminal cases for the establishment and maintenance of a county law library; abolishing the County Court and the Juvenile Court of Chambers County; and providing for the transfer and trial of cases pending in the County Court of Chambers County, the former Justice of Peace Courts, and in the Juvenile Court of Chambers County, at the time this Act takes effect, to the Civil and Criminal Court of Chambers County, Alabama.

Also:

H. 1360. To create the office of license inspector in all counties having populations of not less than 115,000 and not more than 150,000, according to the most recent federal decennial census; to provide for the supervision of such office by the governing body of such counties; to authorize the governing body of such counties to provide for certain personnel and duties of such office and for salaries; to repeal Section 18 of Act No. 1292, H. 1795, Regular Session 1971 (Acts 1971, p. 2220).

Also:

H. 1691. To provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 75,000 nor more than 90,000.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 868. To amend Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, Page 201) approved July 7, 1965, entitled "An Act To Authorize the Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor."

Also:

H. 977. To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

Also:

H. 993. To fix the compensation or salary of the Sheriff of all counties having a population of six hundred thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 997. To amend Act No. 993 (H. 1089) enacted at the 1971 regular session of the Legislature of Alabama, as heretofore amended, applicable to any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census, so as to authorize the county transit authority provided for by said Act to provide charter service within the State of Alabama.

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Also:

H. 1024. To make supplemental appropriations to various state departments for the fiscal year ending September 30, 1973.

Also:

H. 1025. To establish the capital and surplus required to form a domestic stock life insurance company.

Also:

H. 1053. To fix the compensation or salary of the Judges of the Court of General Sessions of Jefferson County and to regulate the payment of salaries of said Judges.

Also:

H. 1083. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 1265. To amend the title and Section 1 and Section 2 and Section 3, of Act No. 920, H. 1712, Regular Session, 1971 (Acts 1971, Page 1680), which authorizes the County Commission to pay the salaries of clerks for the Tax Assessor and the Tax Collector in certain Counties classified on a population basis.

Also:

H. 1270. To create a court with County wide limited jurisdiction of criminal cases and civil action which court shall be called the Inferior Court of Henry County, Alabama; to provide for the jurisdiction of said Inferior Court of Henry County, Alabama; to provide for regular monthly sessions of said Inferior Court of Henry County, Alabama, as to civil cases and criminal cases; to provide for the jurisdiction and powers of the court hereby established and the officers thereof; to fix their duties, powers, authority and compensation, their election of appointment, terms of office, and for costs and fees in such court; to abolish the County Court of Henry County and the Juvenile Court of Henry County and all Justice of the Peace Courts in said County; and to provide for the transfer of all cases pending in County Court of Henry County and the Juvenile Court of Henry County to the newly established Inferior Court of Henry County, Alabama.

Also:

H. 1411. Relating to all counties having a population of not less than 90,000 nor more than 100,000; providing that the chairman of the county commission may under certain circumstances expend monies from the county general fund.

Also:

H. 1442. To provide for the payment to county boards of health in counties having a population of more than 500,000 out of ad valorem tax

proceeds collected by or on behalf of municipalities in said counties amounts equal to not less than \$3.00 per person residing in municipalities having a population or more than 5,000 and not less than \$1.50 per person residing in municipalities having a population of less than 5,000.

Also:

H. 1474. To alter and re-arrange the boundary lines of the Town of Helena, Alabama, so as to include within the corporate limits of said town, all territory now within such corporate limits and also certain other territory in Shelby County, Alabama, contiguous to said town.

Also:

H. 1478. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Also:

H. 1551. To provide for the establishment of a county computer department for Madison County, Alabama, and to provide for the appointment, qualifications, duties and authority of a director; to provide for the employment of clerks and assistants and to otherwise provide for the further implementation of such a department; to repeal conflicting laws.

Also:

H. 1633. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Also:

H. 1640. Relating to Walker County; creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Also:

H. 1680. To alter or rearrange the boundary lines of the town of Excel, Monroe County, Alabama, so as to include in the corporate limits of the said town all territory now within such corporate limits and also certain other territory contiguous thereto in Monroe County, Alabama.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 146. To amend the title and Section 1 of Act No. 281, S. 217, Third Special Session 1971 (Acts 1971, p. 4556), providing supplemental salaries for supernumerary circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Also:

H. 149. To amend the title and Section 1 of Act No. 282, S. 218, Third Special Session 1971 (Acts 1971, p. 4556), fixing supplemental salaries of circuit judges in judicial circuits composed of one county having a certain number of circuit judges.

Also:

H. 212. To further amend Code of Alabama 1940, Title 51, Section 348, as amended, which relates to the levying of a franchise tax on foreign corporations.

Also:

H. 251. To make an appropriation to the Department of Public Safety from the General fund of the State for certain communications system conversion requirements as recommended by the State Communications Master Plan.

Also:

H. 331. To make appropriations for Mental Health purposes and for the payment of principal and interest on Mental Health Bonds issued by the University of Alabama pursuant to Constitutional Amendment No. CXLI.

Also:

H. 447. To amend further Section 9 of Act No. 1403, H. 46, 1971 Regular Session of the Alabama Legislature (1971 Acts, p. 2363), as amended, which provides for the regulation, inspection and payment of an inspection fee on certain petroleum products so as to provide that the inspection fee on kerosene or diesel fuel used in the treatment or preservation of wood products shall be one-fortieth of one cent ($\frac{1}{40}\%$) per gallon.

Also:

H. 577. To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license has been issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature, or to any licensed retailer in any county in which such a civic center is located, a revocable permit to sell or dispense draft or keg beer or malt beverages.

Also:

H. 649. To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in

counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

Also:

H. 781. To fix the compensation or salary of the Judges of the Criminal Court of Jefferson County and to regulate the payment of salaries of said Judges.

Also:

H. 782. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of salaries of said Judges.

Also:

H. 784. To fix and provide for the salary of the tax assessor in each county of the state having a population of 600,000 or more, according to the last or any subsequent federal census.

Also:

H. 785. To amend Section 3.07 and Section 3.05 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent federal census.

Also:

H. 787. To provide for the compensation to be paid the First Assistant Deputy District Attorney and the Second Assistant Deputy District Attorney in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census where the Deputy District Attorney is elected by the people and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Also:

H. 803. To amend Sections 38, 39 and 51 of Title 18 of the Code of Alabama 1940, relating to electric cooperatives, so as to provide for the designation of a quorum at all meetings of the members, to provide for the board of trustees of the cooperative, and to provide for the encumbering of the property of the cooperative.

Also:

H. 819. To amend Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, Page 797 et seq.); to name and define officers of the Birmingham-Jefferson County Civic Center Authority, and authorize the hiring of architects.

Also:

H. 860. To amend Section 3 of Act No. 169, H. 27, Regular Session 1945, (Acts 1945, p. 285), as last amended, which section sets the rates of the forest products severance tax, so as to provide for a privilege tax to be levied against the manufacturer or processor utilizing the forest products; and to provide the manner of levying privilege tax.

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Also:

H. 865. Relating to counties having a population of not less than 38,100 and not more than 40,500, according to the last federal decennial census, and providing for payment of additional expense allowances to the chairman and members of the governing body of said county.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1698. To amend Sections 2, 4, 6, 9 and 16 of Act No. 2452 of Regular Session 1971 (Acts 1971, p. 3917), which act replaces the justice of the peace court's jurisdiction with a court of limited jurisdiction, called Inferior Court, in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census, so as to: give such courts civil jurisdiction in claims of \$500 or less; to give such jurisdiction in appeals cases not exceeding \$500; to extend the term of office of the existing judge of said court; to delete the January 1, 1974 expiration clause of such courts' creation; and to provide for a new election, salary, and tenure of such judgeships.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1488. To apply only in counties having populations of more than 600,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Turnham:

H. J. R. 213. COMMENDING JOHN RUSSELL PARRISH.

WHEREAS, John Parrish, a Chilton County native, received his undergraduate and M.S. degrees in Vocational Agriculture and Animal Science from Auburn University and later served in Covington, Dale and Randolph Counties as vocational agriculture teacher, assistant county agent and county agent; and

WHEREAS, his various community accomplishments and vocational agriculture teaching programs have been cited in the Saturday Evening Post; and

WHEREAS, he has been an Extension Dairyman since 1948, developed dairy programs in Randolph County, aided in State Calf Raising System; and

WHEREAS, he assisted in organizing the Farm Bureau Dairy Committee, American Dairy Association of Alabama, and Pesticide Testing programs; and

WHEREAS, he has supervised 22 educational trips in the U. S. and Canada involving hundreds of participating young people of the state; and

WHEREAS, he is now active in the Parkway Baptist Church as a deacon, trustee, chairman of finance committee, and superintendent of Adult Sunday School; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body recognizes and commends the accomplishments of Mr. John Russell Parrish.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. Parrish.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 213, on the Clerk's desk for one legislative day.

Also:

By Mr. Goodwin:

H. J. R. 214. COMMENDING COLBERT COUNTY HIGH SCHOOL ON ITS OUTSTANDING SPORTS RECORD.

WHEREAS, Colbert County High School in Leighton, Alabama has compiled a truly amazing record in all sports events in the past few years, and

WHEREAS, under the leadership for the past 20 years of one of the top high school football coaches in the South, C. T. Manley, the "Indians" have compiled a remarkable record of 137 wins as against 58 losses and 7 ties. Coach Manley has led the football team to championship playoffs in 1967, 1971, and 1972, finishing 2nd in the state in 1967 and in 1972 winning the esteemed 3-A State Championship; and

WHEREAS, the basketball team also has displayed great talent in recent years. The high jumping and swift Indian basketball teams finished 2nd in the State 3-A Championship in 1971, and came back to win the championship in 1972. The team record during these two years was 27 wins against 3 losses in 1971 and 33 wins against 1 loss in 1972 for a combined record of 60 wins against 4 losses. In 1973, under the dynamic leadership of Coach Jim Rhodes, the team captured the Holiday Invitational Championship, County Championship, and Area Championship enroute to a 24-4 record; and

WHEREAS, the baseball team, not to be outperformed has participated in 2 of the last 3 state playoffs and in 1973, under the able leadership of Coach Bill Jarrett, finished 2nd in the state 3-A championship; and

WHEREAS, this type of sports record is to be commended and applauded as the games of sport parallel the game of life with its ups and downs. The extremely talented young men who aided in compiling this outstanding record reflect much honor to their community and state by their hard work and determination to succeed;

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body commends the outstanding record in the field of sports compiled by Colbert County High School and wishes to bestow recognition upon the brilliant coaches and athletes who made this record possible.

BE IT FURTHER RESOLVED, that the Legislature wishes Colbert County High School continued success in its athletic endeavors, and that a copy of this resolution be sent to Colbert County High School.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 214, on the Clerk's desk for one legislative day.

Also:

By Mr. Turnham:

H. J. R. 215. HONORING COMPANY C, FIRST BATTALLION, 20TH SPECIAL FORCES GROUP (AIRBORNE) OF THE FIRST SPECIAL FORCES.

WHEREAS, a composite team from Company C, First Battallion, 20th Special Forces Group (Airborne) of the First Special Forces recently scored highest of all reserve and national guard from throughout the United States in competition in Germany; and

WHEREAS, three teams from Company C recently completed an area assessment of the Boise National Forest in Idaho, conducting themselves in the finest tradition of the military; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate Company C for its achievements.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the commanding officer of Company C.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 215, on the Clerk's desk for one legislative day.

Also:

By Messrs. Waggoner and Falkenburg:

H. J. R. 216. DESIGNATING MR. BOB CAIN AND THE CANE-BREAKERS AS THE OFFICIAL BAND OF THE 1973 ALABAMA LEGISLATURE.

WHEREAS the enjoyment of the party recently given by the Jefferson County Legislative Delegation was greatly enhanced by the music of the Cane-Breakers under the skillful and artful direction of Bob Cain, the Head Cane Cutter; and

WHEREAS Bob Cain who was born in Hartselle, graduated from the University of Alabama with a major in political science, is married to Penny Vann, a native of Birmingham, and they are the justifiably proud parents of two adorable children, Lacey aged 3½ and Lyle aged 2; and

WHEREAS Bob Cain has been in the same location in Birmingham with his own night club, "The Cane-Break", for 8½ years and prior to owning and operating his own "Cane-Break", played at many other locations, including New Orleans and Las Vegas; and

WHEREAS the piano is Bob's "Thing", he also excels on the trumpet and has a wonderful voice which he not only uses in beautiful song, but also to express his wit and humor; and

WHEREAS Mr. Cain is an impresario with God-given talent that has earned for him a world-wide reputation for entertainment; and

WHEREAS Bob Cain represents his community in an exceptional manner both as a musician and as a citizen; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Bob Cain and The Cane-Breakers for their outstanding talents and ability and wish to thank them for providing us with such delightful entertainment.

BE IT FURTHER RESOLVE, That Mr. Bob Cain and The Cane-Breakers be designated the "Official Band of the 1973 Alabama Legislature.

RESOLVED FURTHER, That copies of this resolution be sent to Mr. Bob Cain and The Cane-Breakers.

The resolution, H. J. R. 216, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Bassett and Hardin:

H. J. R. 217. COMMENDING THOMAS HAROLD ESPY FOR HIS WORK WITH THE STATE HIGHWAY DEPARTMENT.

WHEREAS Thomas Harold Espy has recently retired after 40 years of service in the State Highway Department; and

WHEREAS Mr. Espy began his service with the Highway Department as a rodsman in 1923 and became Division Engineer for the Seventh Division in 1940; and

WHEREAS during his years of service to the Highway Department and to this state and its people Mr. Espy has been a dedicated, conscientious and diligent employee; and

WHEREAS the Legislature of this state wishes to honor and commend Mr. Espy upon his retirement from an outstanding career of service to the state; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Thomas Harold Espy is hereby commended for his service to this state, and the gratitude of the people of the state and the good wishes of the Legislature are extended to Mr. Espy upon his retirement.

BE IT FURTHER RESOLVED, that the Clerk of the House cause a copy of this resolution to be sent to Mr. Espy.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 217, on the Clerk's desk for one legislative day.

MOTION TO RE-REFER TABLED

On motion of Mr. Reed (T), the motion of Mr. Gray (F) that the Speaker re-refer the bill, H. 2078, was tabled.

MOTION IN WRITING

Mr. Kinsey filed the following Motion in Writing:

Having voted on the prevailing side on the vote in which H. B. 2058 passed the House, I now move for a reconsideration thereof.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1488. To apply only in counties having populations of more than 600,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length hav-

ing been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning House Bill Number 377, without the Governor's approval.

Respectfully Submitted,
HARRY L. PENNINGTON
Executive Secretary

DONE THIS 14 DAY OF AUGUST, 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 377, without my signature and approval.

Respectfully Submitted,
GEORGE C. WALLACE
Governor of Alabama

GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. B. 377. Relating to counties of 500,000 or more; to authorize the distillation, manufacture or making of any alcoholic spirituous, vinous or otherwise alcoholic beverages and malt and brewed beverages in such county.

Mr. Timmons moved passage of the bill, H. 377, the Governor's veto to the contrary notwithstanding.

And the bill, H. 377, was again read at length, and the House refused to pass said bill over the veto of the Governor.

Yeas 38; Nays 23.

Yeas:

Messrs.:	Callahan	Downing	Hill
Adwell	Carnes	Easters	King
Barkett	Cauthen	Erdreich	Lang
Boutwell	Collins	Falkenburg	Lutz
Bowers	Coshatt	Gray (F)	McBride
Brassell	Culver	Hale	McCluskey

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McMillan	Naramore	Reed (T)	Timmons
McNair	Nettles	Smith (K)	Waggoner
Manley	Parker	Snell	Wood
Meeks	Perloff	Stokes	

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Nays:

Messrs.:	Crawford	Merrill	Robertson
Adams	Drake	Mims	Turner
Barron	Headley	Owens	Turnham
Chesnut	Hughes	Porter	Wallace
Connell	Jackson	Reid (R)	Warren
Cottingham	McDonald	Reynolds	Wise

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BILLS ON THIRD READING

And the bill:

S. 312. To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in the City of Fairhope; authorizing the city council to create a parking authority or parking committee, and providing for its membership, authority and duties.

Was taken up.

S. 312 POSTPONED

On motion of Mr. Benton, the bill, S. 312, was postponed to the thirty-second legislative day.

UNANIMOUS CONSENT

Mr. Gray (F) requested unanimous consent to have his name added as co-sponsor to the bill, H. 2078, but rejection was registered.

BILLS ON THIRD READING RESUMED

And the bill:

H. 2053. To authorize the governing body of any county having a population of not less than 27,900 nor more than 33,500, according to the most recent federal decennial census, or the governing body of any municipality within such county to establish within such county or within any municipality within such county ambulance service on a non-profit basis; to authorize such county to unite with any municipality within such county or two or more municipalities within such county, to unite with each other or together with such county, in the establishment of such ambulance service, making such service common for the use of such county or participating municipality or municipalities, and to permit the providing of such service by contract or otherwise; to authorize appropriations of public funds for such service by such county or any municipality within such county; to authorize the charging of fees for such ambulance service; and to exempt such county and any municipality within such county from tort liability while operating ambulances or providing ambulance service as authorized herein.

Was taken up.

Mr. Coshatt offered the following amendment to the bill:

Add the following at the end of Section 1.:

Provided that the governing body of said county shall not create and establish, maintain or operate any such ambulance service or join with any municipality within said county to create and establish, maintain or operate any such ambulance service unless the ambulance service created is county-wide, covering all incorporated and unincorporated areas within the county. Provided further that said county shall not pay a share of the cost of such service greater than the percentage of persons living in the unincorporated areas of the county.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill, H. 2053 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Collins	Edwards
Adams	Bowers	Connell	Ellis
Adwell	Brassell	Coshatt	Erdreich
Agee	Burgess	Cottingham	Falkenburg
Bank	Callahan	Crawford	Fite
Barkett	Carnes	Cross	Gafford
Barron	Carter	Crowe	Goodwin
Bassett	Casey	Culver	Grainger
Benton	Cauthen	Downing	Gray (F)
Boles	Chesnut	Easters	Grey (D)

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Hale	McCorquodale	Porter	Taylor
Hardin	McDonald	Pruitt	Therrell
Headley	McMillan	Reed (T)	Timmons
Hill	McNair	Reynolds	Turner
Hobbie	Manley	Roberts	Turnham
Hughes	Mathews	Robertson	Waggoner
Jackson	May	Slate	Waldrop
Jones (F)	Meeks	Smith (K)	Wallace
King	Merrill	Smith (P)	Warren
Kinsey	Mims	Snell	Williams
Lang	Naramore	Stewart	Wise
Lutz	Owens	Stokes	Wood
McBride	Perloff	Stubbs	Wynot
McCluskey			

—93

MOTION IN WRITING

Mr. Jackson filed the following Motion in Writing:

"Having voted with the prevailing side on which House Bill 46 passed the House on the 30th legislative day, I hereby move to reconsider the vote by which the bill passed.

BILLS ON THIRD READING RESUMED

And the bill:

H. 2071. Relating to counties having a population of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of such counties, and providing for a rehabilitation board to supervise and administer the rehabilitation processes of this Act.

Was taken up.

H. 2071 POSTPONED

On motion of Mr. Manley, the bill, H. 2071, was postponed to the thirty-second legislative day.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Drake, unanimous consent was granted for the Journal to show him voting "Yea" on all local bills.

And the bill:

H. 2128. Relating to all counties having a population of not less than 150,000 nor more than 180,000, according to the most recent federal decennial census; providing further for the salary of the sheriff.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

Brassell	Falkenburg	McCluskey	Slate
Burgess	Fite	McCorquodale	Smith (K)
Callahan	Gafford	McDonald	Smith (P)
Carnes	Goodwin	McMillan	Snell
Carter	Grainger	McNair	Stewart
Casey	Gray (F)	Manley	Stokes
Cauthen	Grey (D)	Mathews	Stubbs
Chesnut	Hale	May	Taylor
Collins	Hardin	Meeks	Therrell
Connell	Headley	Merrill	Timmons
Coshatt	Hill	Mims	Turner
Cottingham	Hobbie	Naramore	Turnham
Crawford	Hughes	Owens	Waggoner
Cross	Jackson	Perloff	Waldrop
Crowe	Jones (F)	Porter	Wallace
Culver	King	Pruitt	Warren
Downing	Kinsey	Reed (T)	Williams
Easters	Lang	Reynolds	Wise
Edwards	Lutz	Roberts	Wood
Ellis	McBride	Robertson	Wynot
Erdreich			

—93

And the bill:

H. 1395. (With Amendment): To empower Municipal and/or Recorders Courts in municipalities having now or hereafter having a population of not less than 70,000 persons, nor more than 180,000 according to the last or any subsequent federal census, to suspend sentences and/or grant probation under certain conditions.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 1395 by deleting therefrom the last sentence in Section VI of the bill.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Carter	Erdreich	King
Adams	Casey	Falkenburg	Kinsey
Adwell	Cauthen	Fite	Lang
Agee	Chesnut	Gafford	Lutz
Bank	Collins	Goodwin	McBride
Barkett	Connell	Grainger	McCluskey
Barron	Coshatt	Gray (F)	McCorquodale
Bassett	Cottingham	Grey (D)	McDonald
Benton	Crawford	Hale	McMillan
Boles	Cross	Hardin	McNair
Boutwell	Crowe	Headley	Manley
Bowers	Culver	Hill	Mathews
Brassell	Downing	Hobbie	May
Burgess	Easters	Hughes	Meeks
Callahan	Edwards	Jackson	Merrill
Carnes	Ellis	Jones (F)	Mims

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Naramore	Robertson	Stubbs	Waldrop
Owens	Slate	Taylor	Wallace
Perloff	Smith (K)	Therrell	Warren
Porter	Smith (P)	Timmons	Williams
Pruitt	Snell	Turner	Wise
Reed (T)	Stewart	Turnham	Wood
Reynolds	Stokes	Waggoner	Wynot
Roberts			

—93

And the bill, H. 1395 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2161. (With Amendment): To amend Section 1 of Act No. 184, S. 123, 3rd Special Session 1971 (Acts 1971, p. 4445) which provides for staff assistants for the Commissioner of Public Works and for the Commissioner of Public Affairs, in certain cities classified on a population basis, so as to prescribe their compensation.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 2161, Section 1, in the second sentence by striking the word "shall" and inserting between the words authorized and be, the following words:

"may, at the discretion of the governing body of said municipality,"

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill, H. 2161 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

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And the bill:

S. 119. Relating to counties having populations of not less than 110,000 nor more than 150,000, according to the 1970 or any subsequent federal decennial census; providing further for extending the corporate limits and boundaries of incorporated municipalities in such counties.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

S. 237. To provide for a system of self-indexing of all land transfer instruments recorded in probate offices in counties having a population of not less than 115,000 nor more than 150,000 persons according to the last or any subsequent Federal Decennial Census.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Collins	Edwards
Adams	Bowers	Connell	Ellis
Adwell	Brassell	Coshatt	Erdreich
Agee	Burgess	Cottingham	Falkenburg
Bank	Callahan	Crawford	Fite
Barkett	Carnes	Cross	Gafford
Barron	Carter	Crowe	Goodwin
Bassett	Casey	Culver	Grainger
Benton	Cauthen	Downing	Gray (F)
Boles	Chesnut	Easters	Gray (D)

Hale	McCorquodale	Porter	Taylor
Hardin	McDonald	Pruitt	Therrell
Headley	McMillan	Reed (T)	Timmons
Hill	McNair	Reynolds	Turner
Hobbie	Manley	Roberts	Turnham
Hughes	Mathews	Robertson	Waggoner
Jackson	May	Slate	Waldrop
Jones (F)	Meeks	Smith (K)	Wallace
King	Merrill	Smith (P)	Warren
Kinsey	Mims	Snell	Williams
Lang	Naramore	Stewart	Wise
Lutz	Owens	Stokes	Wood
McBride	Perloff	Stubbs	Wynot
McCluskey			

—93

And the bill:

S. 238. (With Amendment): Relating to Tuscaloosa County, to amend further Section 7, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which act relates to the Firemen's and Policemen's Pension and Relief Fund for the City of Tuscaloosa, Alabama, so as to change the percentage composition of the fund) and also to exclude overtime pay, bonuses, and similar type pay from the regular salary deductions which produce the revenue for the above mentioned fund.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend the synopsis to S. 238 by inserting a period after the word "fund" in the fourth line thereof and striking the remainder of said synopsis.

Also amend S. 238 by changing the semi-colon after the word "fund" in the fifth line of the title thereof to a period, and striking the remainder of said title.

Also amend S. 238, Section 1, by striking the phrases "excluding any bonuses, overtime, or similar type pay" and "(salary shall not include bonuses, overtime, or similar type pay)" where they appear in said section.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Goodwin
Adams	Burgess	Cross	Grainger
Adwell	Callahan	Crowe	Gray (F)
Agee	Carnes	Culver	Gray (D)
Bank	Carter	Downing	Hale
Barkett	Casey	Easters	Hardin
Barron	Cauthen	Edwards	Headley
Bassett	Chesnut	Ellis	Hill
Benton	Collins	Erdreich	Hobbie
Boles	Connell	Falkenburg	Hughes
Boutwell	Coshatt	Fite	Jackson
Bowers	Cottingham	Gafford	Jones (F)

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King	May	Roberts	Timmons
Kinsey	Meeks	Robertson	Turner
Lang	Merrill	Slate	Turnham
Lutz	Mims	Smith (K)	Waggoner
McBride	Naramore	Smith (P)	Waldrop
McCluskey	Owens	Snell	Wallace
McCorquodale	Perloff	Stewart	Warren
McDonald	Porter	Stokes	Williams
McMillan	Pruitt	Stubbs	Wise
McNair	Reed (T)	Taylor	Wood
Manley	Reynolds	Therrell	Wynot
Mathews			

—93

And the bill, S. 238 as thus amended, was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

S. 277. (With Substitute): Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witness therein.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

Be It Enacted by the Legislature of Alabama:

Section 1. In any counties having a population of not less than 110,000 and not more than 150,000 according to the last or any subsequent federal decennial census, any office of Legal Stenographer of the District Attorney of such county which has heretofore been established and provided for is hereby made subject to the civil service or merit system Act of such county. The salary of such office shall not be changed by this Act, except as hereinafter provided. Immediately upon passage and approval of this Act, the District Attorney shall appoint a competent, qualified person to the office of Legal Stenographer of the District Attorney of such county, such Legal Stenographer to have civil service status and be removable by the District Attorney only for cause in accordance with the civil service or merit system of such county. However, any subsequent vacancy in such office shall be filled in the manner of vacancies in other offices covered by the civil service or merit system of such counties. Such Legal Stenographer shall be empowered and authorized to appear before Grand Jury sessions in such counties for the purpose of reporting or recording the testimony of witnesses appearing before such Grand Jury sessions, and shall do so at such times as may be deemed desirable by the District Attorney of such counties.

Section 2. The county governing body in such counties is hereby authorized to establish and provide for a position of Assistant Legal Stenographer of the District Attorney of such county. Such Assistant Legal Stenographer shall assist the Legal Stenographer of the District Attorney of such county in the conduct of the duties and responsibilities of that office and shall act as such officer in the absence of such officer, and shall act under the direction of the District Attorney and of said Legal Stenographer in carrying out such duties. The Assistant Legal Stenographer shall be empowered and authorized to appear before Grand Jury sessions in such counties for the purpose of reporting or recording the testimony of witnesses appearing before such Grand Jury, and shall do so at such times as may be deemed desirable by the District Attorney of such county.

The District Attorney of such county shall, subject to the civil service or merit system Act of such county, appoint such Assistant Legal Stenographer, whose compensation shall be established by the civil service or merit system board of such county, which shall be paid by the county governing body of such county as salaries of other employees and officers of such county are paid.

Section 3. When from time to time the Assistant Legal Stenographer of the District Attorney shall receive an increase in pay, then at the same

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time the salary paid by the county to the Legal Stenographer of the District Attorney shall be increased by the same amount.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill, S. 277 as thus amended, was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Casey	Fite	Lutz
Adams	Cauthen	Gafford	McBride
Adwell	Chesnut	Goodwin	McCluskey
Agee	Collins	Grainger	McCorquodale
Bank	Connell	Gray (F)	McDonald
Barkett	Coshatt	Grey (D)	McMillan
Barron	Cottingham	Hale	McNair
Bassett	Crawford	Hardin	Manley
Benton	Cross	Headley	Mathews
Boles	Crowe	Hill	May
Boutwell	Culver	Hobbie	Meeks
Bowers	Downing	Hughes	Merrill
Brassell	Easters	Jackson	Mims
Burgess	Edwards	Jones (F)	Naramore
Callahan	Ellis	King	Owens
Carnes	Erdreich	Kinsey	Perloff
Carter	Falkenburg	Lang	Porter

Pruitt	Smith (P)	Therrell	Wallace
Reed (T)	Snell	Timmons	Warren
Reynolds	Stewart	Turner	Williams
Roberts	Stokes	Turnham	Wise
Robertson	Stubbs	Waggoner	Wood
Slate	Taylor	Waldrop	Wynot
Smith (K)			

—93

And the bill:

S. 506. (With Substitute): To create the office of Ex-officio Judge of any County Court exercising original jurisdiction over general misdemeanors in Judicial Circuits composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people according to the last and any subsequent decennial Federal census; to prescribe the powers, duties and authority of the Ex-officio Judge; to provide for the appointment of such Ex-officio Judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him, and to provide a Supervisory Board, and prescribe its authorities and responsibilities.

Was taken up.

S. 506 POSTPONED

On motion of Mr. Robertson, the bill, S. 506 with pending substitute, was postponed to the thirty-second legislative day.

And the bill:

S. 543. To create and establish offices of Deputy District Attorney No. 1, No. 2, and No. 3 of the Sixth Judicial Circuit, and to provide for the appointment and for the duties and compensation of such offices.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

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UNANIMOUS CONSENT GRANTED

At the request of Mr. O'Daniel, unanimous consent was granted for the Journal to show him voting "Yea" on all local bills.

And the bill:

H. 831. (With Amendment): Relating to Tuscaloosa County: Providing for the appointment of an assistant circuit clerk of the circuit court of Tuscaloosa County; prescribing the duties and authority of such clerk, fixing the compensation and providing for payment from the general funds of the county.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend H. B. 831, Section 2, by striking the words "seventy-five" in the second line thereof and inserting the following: "seventy".

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill, H. 831 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

Brassell	Falkenburg	McCluskey	Slate
Burgess	Fite	McCorquodale	Smith (K)
Callahan	Gafford	McDonald	Smith (P)
Carnes	Goodwin	McMillan	Snell
Carter	Grainger	McNair	Stewart
Casey	Gray (F)	Manley	Stokes
Cauthen	Grey (D)	Mathews	Stubbs
Chesnut	Hale	May	Taylor
Collins	Hardin	Meeks	Therrell
Connell	Headley	Merrill	Timmons
Coshatt	Hill	Mims	Turner
Cottingham	Hobbie	Naramore	Turnham
Crawford	Hughes	Owens	Waggoner
Cross	Jackson	Perloff	Waldrop
Crowe	Jones (F)	Porter	Wallace
Culver	King	Pruitt	Warren
Downing	Kinsey	Reed (T)	Williams
Easters	Lang	Reynolds	Wise
Edwards	Lutz	Roberts	Wood
Ellis	McBride	Robertson	Wynot
Erdreich			

And the bill:

H. 1094. (With Amendment): Governing the pleading, practice and procedure in civil actions in the Tuscaloosa County Court by adopting the Alabama Rules of Civil Procedure to increase the jurisdiction in civil actions in the Tuscaloosa County Court and to provide an expense allowance for the judge of the Tuscaloosa County Court.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend House Bill 1094 by adding the following sentence at the end of Section 1:

"The above right to demand a jury trial shall be printed on the summons."

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Burgess	Crowe	Grey (D)
Adams	Callahan	Culver	Hale
Adwell	Carnes	Downing	Hardin
Agee	Carter	Easters	Headley
Bank	Casey	Edwards	Hill
Barkett	Cauthen	Ellis	Hobbie
Barron	Chesnut	Erdreich	Hughes
Bassett	Collins	Falkenburg	Jackson
Benton	Connell	Fite	Jones (F)
Boles	Coshatt	Gafford	King
Boutwell	Cottingham	Goodwin	Kinsey
Bowers	Crawford	Grainger	Lang
Brassell	Cross	Gray (F)	Lutz

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McBride	Mims	Slate	Turner
McCluskey	Naramore	Smith (K)	Turnham
McCorquodale	Owens	Smith (P)	Waggoner
McDonald	Perloff	Snell	Waldrop
McMillan	Porter	Stewart	Wallace
McNair	Pruitt	Stokes	Warren
Manley	Reed (T)	Stubbs	Williams
Mathews	Reynolds	Taylor	Wise
May	Roberts	Therrell	Wood
Meeks	Robertson	Timmons	Wynot
Merrill			

—93

And the bill, H. 1094 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 1436. (With Amendment): To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having a population of not less than 115,000 nor more than 150,000, according to the most recent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

On page 2, Section 4 of H. B. 1436, strike the second line reading, "with a local state game warden, or with the state department of", and insert in lieu thereof:

with a local officer of the Department of Conservation and Natural Resources, or directly with the state department of

Also on page 2, strike the last line of section 7 reading, "in section 6 hereof shall be determined."; and insert in lieu thereof the following:

in Section 5 hereof shall be determined.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill, H. 1436 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Carter	Erdreich	King
Adams	Casey	Falkenburg	Kinsey
Adwell	Cauthen	Fite	Lang
Agee	Chesnut	Gafford	Lutz
Bank	Collins	Goodwin	McBride
Barkett	Connell	Grainger	McCluskey
Barron	Coshatt	Gray (F)	McCorquodale
Bassett	Cottingham	Grey (D)	McDonald
Benton	Crawford	Hale	McMillan
Boles	Cross	Hardin	McNair
Boutwell	Crowe	Headley	Manley
Bowers	Culver	Hill	Mathews
Brassell	Downing	Hobbie	May
Burgess	Easters	Hughes	Meeks
Callahan	Edwards	Jackson	Merrill
Carnes	Ellis	Jones (F)	Mims

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Naramore	Robertson	Stubbs	Waldrop
Owens	Slate	Taylor	Wallace
Perloff	Smith (K)	Therrell	Warren
Porter	Smith (P)	Timmons	Williams
Pruitt	Snell	Turner	Wise
Reed (T)	Stewart	Turnham	Wood
Reynolds	Stokes	Waggoner	Wynot
Roberts			

—93

And the bill:

H. 1593. Relating to counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, so as to enumerate certain political activities which shall not preclude employment of any person coming under the provisions of any county civil service systems established in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 1618. Relating to counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, providing further for the salaries of the tax collectors of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

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And the bill:

H. 1619. To provide an annual expense allowance for the circuit clerks of all counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, which expense allowances shall be effective only for the duration of the present terms of office of the circuit clerks of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Casey	Fite	Lutz
Adams	Cauthen	Gafford	McBride
Adwell	Chesnut	Goodwin	McCluskey
Agee	Collins	Grainger	McCorquodale
Bank	Connell	Gray (F)	McDonald
Barkett	Coshatt	Grey (D)	McMillan
Barron	Cottingham	Hale	McNair
Bassett	Crawford	Hardin	Manley
Benton	Cross	Headley	Mathews
Boles	Crowe	Hill	May
Boutwell	Culver	Hobbie	Meeks
Bowers	Downing	Hughes	Merrill
Brassell	Easters	Jackson	Mims
Burgess	Edwards	Jones (F)	Naramore
Callahan	Ellis	King	Owens
Carnes	Erdreich	Kinsey	Perloff
Carter	Falkenburg	Lang	Porter

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Pruitt	Smith (P)	Therrell	Wallace
Reed (T)	Snell	Timmons	Warren
Reynolds	Stewart	Turner	Williams
Roberts	Stokes	Turnham	Wise
Robertson	Stubbs	Waggoner	Wood
Slate	Taylor	Waldrop	Wynot
Smith (K)			

—93

And the bill:

H. 1620. Relating to counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census, providing further for the salaries of the tax assessors of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

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And the bill:

H. 1914. (With Amendment): To alter, rearrange and extend the boundary lines and corporate limits of the Town of Maplesville, in Chilton County.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In Section 1, delete the second, third, fourth, fifth and sixth paragraphs thereof and insert in lieu thereof the following words and figures:

The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29, Township 21, Range 12, Chilton County, Alabama; the NE $\frac{1}{4}$ of Section 29, Township 21, Range 12, Chilton County, Alabama; the N $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 29, Township 21, Range 12; the NW $\frac{1}{4}$ of Section 28, Township 21, Range 12, Chilton County, Alabama; the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 28, Township 21, Range 12, Chilton County, Alabama; all that part of the NE $\frac{1}{4}$ of Section 28, and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 28, Township 21, Range 12, that lies East of the GM & O Railroad as the same this day exists.

Also, all of the following described property which lies East of Mulberry Creek; the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 16, Township 21, Range 12, Chilton County, Alabama; the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 16, Township 21, Range 12, Chilton County, Alabama; and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 21, Range 12, Chilton County, Alabama.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill, H. 1914 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Crawford
Adams	Boles	Casey	Cross
Adwell	Boutwell	Cauthen	Crowe
Agee	Bowers	Chesnut	Culver
Bank	Brassell	Collins	Downing
Barkett	Burgess	Connell	Easters
Barron	Callahan	Coshatt	Edwards
Bassett	Carnes	Cottingham	Ellis

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Erdreich	King	Mims	Stokes
Falkenburg	Kinsey	Naramore	Stubbs
Fite	Lang	Owens	Taylor
Gafford	Lutz	Perloff	Therrell
Goodwin	McBride	Porter	Timmons
Grainger	McCluskey	Pruitt	Turner
Gray (F)	McCorquodale	Reed (T)	Turnham
Grey (D)	McDonald	Reynolds	Waggoner
Hale	McMillan	Roberts	Waldrop
Hardin	McNair	Robertson	Wallace
Headley	Manley	Slate	Warren
Hill	Mathews	Smith (K)	Williams
Hobbie	May	Smith (P)	Wise
Hughes	Meeks	Snell	Wood
Jackson	Merrill	Stewart	Wynot
Jones (F)			

—93

And the bill:

H. 2027. Relating to Wilcox County; authorizing the county commission of said County to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2031. To regulate the compensation of members of the county board of education in all counties having populations of not less than 16,350 nor more than 16,650, and to validate, ratify and confirm all expenditures of funds heretofore paid to members of any county board of education operating in said county prior to the effective date of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2033. Relating to Choctaw County, Alabama; levying a privilege license or excise tax on certain sellers and distributors of spiritous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission to levy an additional tax upon such sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the Act by the Probate Judge and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

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Brassell	Falkenburg	McCluskey	Slate
Burgess	Fite	McCorquodale	Smith (K)
Callahan	Gafford	McDonald	Smith (P)
Carnes	Goodwin	McMillan	Snell
Carter	Grainger	McNair	Stewart
Casey	Gray (F)	Manley	Stokes
Cauthen	Grey (D)	Mathews	Stubbs
Chesnut	Hale	May	Taylor
Collins	Hardin	Meeks	Therrell
Connell	Headley	Merrill	Timmons
Coshatt	Hill	Mims	Turner
Cottingham	Hobbie	Naramore	Turnham
Crawford	Hughes	Owens	Waggoner
Cross	Jackson	Perloff	Waldrop
Crowe	Jones (F)	Porter	Wallace
Culver	King	Pruitt	Warren
Downing	Kinsey	Reed (T)	Williams
Easters	Lang	Reynolds	Wise
Edwards	Lutz	Roberts	Wood
Ellis	McBride	Robertson	Wynot
Erdreich			

—93

And the bill:

H. 2034. Relating to the First Judicial Circuit; designating each county solicitor or assistant district attorney in each county composing the circuit as a deputy district attorney, and providing that all such deputy district attorneys shall be entitled to receive equal shares of any funds appropriated by the state for the compensation of deputy district attorneys.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2035. To repeal Act No. 197, H. 525, Regular Session 1959 (Acts 1959, p. 732) entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Narmore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2036. Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Crawford
Adams	Boles	Casey	Cross
Adwell	Boutwell	Cauthen	Crowe
Agee	Bowers	Chesnut	Culver
Bank	Brassell	Collins	Downing
Barkett	Burgess	Connell	Easters
Barron	Callahan	Coshatt	Edwards
Bassett	Carnes	Cottingham	Ellis

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Erdreich	King	Mims	Stokes
Falkenburg	Kinsey	Naramore	Stubbs
Fite	Lang	Owens	Taylor
Gafford	Lutz	Perloff	Therrell
Goodwin	McBride	Porter	Timmons
Grainger	McCluskey	Pruitt	Turner
Gray (F)	McCorquodale	Reed (T)	Turnham
Grey (D)	McDonald	Reynolds	Waggoner
Hale	McMillan	Roberts	Waldrop
Hardin	McNair	Robertson	Wallace
Headley	Manley	Slate	Warren
Hill	Mathews	Smith (K)	Williams
Hobbie	May	Smith (P)	Wise
Hughes	Meeks	Snell	Wood
Jackson	Merrill	Stewart	Wynot
Jones (F)			

—93

And the bill:

H. 2037. Relating to counties having a population of not less than 16,000 nor more than 16,250 inhabitants, according to the most recent federal decennial census; to provide for the election of members of the county commission from specified districts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2041. Relating to counties having a population of not less than 39,500 and not more than 41,750 according to the most recent federal decennial census, providing an expense allowance for certain county officers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2042. Relating to any counties having a population of not less than 27,000 nor more than 27,900; authorizing the county commission to set an expense allowance for county officials.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Carter	Erdreich	King
Adams	Casey	Falkenburg	Kinsey
Adwell	Cauthen	Fite	Lang
Agee	Chesnut	Gafford	Lutz
Bank	Collins	Goodwin	McBride
Barkett	Connell	Grainger	McCluskey
Barron	Coshatt	Gray (F)	McCorquodale
Bassett	Cottingham	Grey (D)	McDonald
Benton	Crawford	Hale	McMillan
Boles	Cross	Hardin	McNair
Boutwell	Crowe	Headley	Manley
Bowers	Culver	Hill	Mathews
Brassell	Downing	Hobbie	May
Burgess	Easters	Hughes	Meeks
Callahan	Edwards	Jackson	Merrill
Carnes	Ellis	Jones (F)	Mims

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Naramore	Robertson	Stubbs	Waldrop
Owens	Slate	Taylor	Wallace
Perloff	Smith (K)	Therrell	Warren
Porter	Smith (P)	Timmons	Williams
Pruitt	Snell	Turner	Wise
Reed (T)	Stewart	Turnham	Wood
Reynolds	Stokes	Waggoner	Wynot
Roberts			

—93

And the bill:

H. 2043. Relating to Lawrence County, abolishing the fine and forfeiture fund of Lawrence County and providing that all monies now in the fine and forfeiture fund or hereafter collected for such fund shall be paid into the general fund of such county and that all claims due or to become due from the fine and forfeiture fund shall be paid from the general fund of the county; providing that witness certificates obtained as a state's witness before the grand jury or the circuit court, county court or other inferior court in which a criminal prosecution is pending shall be paid from the general fund on presentation; providing that all monies now held or hereafter collected as witness fees for state's witnesses in the circuit court, county court or other inferior court shall be paid on collection into the general fund of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2054. To provide clerical assistance for the Deputy District Attorney in counties having populations of not less than 15,400 nor more than 15,625 according to the most recent federal decennial census; to repeal Act No. 197, H. 214, Special Session 1967 (Acts 1967, p. 243), as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2055. To provide an expense allowance for the Deputy District Attorney of counties having a population of not less than 15,400 nor more than 15,625 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Casey	Fite	Lutz
Adams	Cauthen	Gafford	McBride
Adwell	Chesnut	Goodwin	McCluskey
Agee	Collins	Grainger	McCorquodale
Bank	Connell	Gray (F)	McDonald
Barkett	Coshatt	Grey (D)	McMillan
Barron	Cottingham	Hale	McNair
Bassett	Crawford	Hardin	Manley
Benton	Cross	Headley	Mathews
Boles	Crowe	Hill	May
Boutwell	Culver	Hobbie	Meeks
Bowers	Downing	Hughes	Merrill
Brassell	Easters	Jackson	Mims
Burgess	Edwards	Jones (F)	Naramore
Callahan	Ellis	King	Owens
Carnes	Erdreich	Kinsey	Perloff
Carter	Falkenburg	Lang	Porter

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Pruitt	Smith (P)	Therrell	Wallace
Reed (T)	Snell	Timmons	Warren
Reynolds	Stewart	Turner	Williams
Roberts	Stokes	Turnham	Wise
Robertson	Stubbs	Waggoner	Wood
Slate	Taylor	Waldrop	Wynot
Smith (K)			

—93

And the bill:

H. 2059. Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2063. Relating to counties having populations of not less than 115,000 nor more than 150,000, according to the most recent federal decennial census; fixing the fees for issuance of pistol permits by the sheriff of such counties, and providing for the disposition and use of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

Brassell	Falkenburg	McCluskey	Slate
Burgess	Fite	McCorquodale	Smith (K)
Callahan	Gafford	McDonald	Smith (P)
Carnes	Goodwin	McMillan	Snell
Carter	Grainger	McNair	Stewart
Casey	Gray (F)	Manley	Stokes
Cauthen	Grey (D)	Mathews	Stubbs
Chesnut	Hale	May	Taylor
Collins	Hardin	Meeks	Therrell
Connell	Headley	Merrill	Timmons
Coshatt	Hill	Mims	Turner
Cottingham	Hobbie	Naramore	Turnham
Crawford	Hughes	Owens	Waggoner
Cross	Jackson	Perloff	Waldrop
Crowe	Jones (F)	Porter	Wallace
Culver	King	Pruitt	Warren
Downing	Kinsey	Reed (T)	Williams
Easters	Lang	Reynolds	Wise
Edwards	Lutz	Roberts	Wood
Ellis	McBride	Robertson	Wynot
Erdreich			

—93

And the bill:

H. 2069. (With Amendment): Relating to all counties having populations of not less than 11,900 nor more than 12,500 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend House Bill 2069 by inserting after Section 13 a new section as follows:

"Section 14. All license fees and sales taxes levied on the items included in this bill shall be paid into the treasury of the largest municipality in counties having a population of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census, for the support and administration of the food stamp program of said counties.

All county license fees and county sales taxes levied shall be paid into the treasury of the largest municipality in counties having a population of not less than 11,500 nor more than 12,500, according to the most recent federal decennial census, for the support and administration of the food stamp program of said counties."

Further amend by renumbering present Section 14 as Section 15 and continue renumbering accordingly.

And the amendment was adopted.

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Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill, H. 2069 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2080. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2082. To amend Act No. 1590, S. 415, 1971 Regular Session (1971 Acts, p. 2717), which provides for establishing and enforcing rules and regulations for training, licensing and related requirements for ambulance operators, attendants, and drivers and rules and regulations for the operations, design, equipment and inspection and licensing of ambulances, and which prescribes penalties for violation of such rules and regulations and exempts certain volunteer rescue squads from the provisions of the Act, so as to provide that certain provisions of this Act shall not apply in counties having populations of not less than 38,100 nor more than 40,500, according to the most recent federal decennial census, and to grant the county governing bodies of such counties certain regulatory powers relative to ambulances, ambulance attendants and ambulance drivers, for such purposes amending the title and Section 6 of such Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2083. To further amend Sections 2 and 3 of Act No. 491, S. 444, Regular Session 1961, as amended, An Act relative to cities in the state having a population of not less than 60,000 nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government in such cities; and providing for the term of the members of the said commission board, and the time and manner of calling and holding an election therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Carnes	Edwards	Hughes
Adams	Carter	Ellis	Jackson
Adwell	Casey	Erdreich	Jones (F)
Agee	Cauthen	Falkenburg	King
Bank	Chesnut	Fite	Kinsey
Barkett	Collins	Gafford	Lang
Barron	Connell	Goodwin	Lutz
Bassett	Coshatt	Grainger	McBride
Benton	Cottingham	Gray (F)	McCluskey
Boles	Crawford	Grey (D)	McCorquodale
Boutwell	Cross	Hale	McDonald
Bowers	Crowe	Hardin	McMillan
Brassell	Culver	Headley	McNair
Burgess	Downing	Hill	Manley
Callahan	Easters	Hobbie	Mathews

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May	Reed (T)	Stewart	Waggoner
Meeks	Reynolds	Stokes	Waldrop
Merrill	Roberts	Stubbs	Wallace
Mims	Robertson	Taylor	Warren
Naramore	Slate	Therrell	Williams
Owens	Smith (K)	Timmons	Wise
Perloff	Smith (P)	Turner	Wood
Porter	Snell	Turnham	Wynot
Pruitt			

—93

And the bill:

H. 2085. To amend Section 5 of Act No. 226, Acts of Alabama, 1959, as Amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2086. To amend further Act No. 226, H. 588, Regular Session 1959, which creates a board of trustees of the policemen and firemen's retirement fund and provides a retirement system for policemen and firemen of the City of Gadsden, Etowah County, so as to make further provision for the retirement of such persons.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Adwell	Bank	Barron
Adams	Agee	Barkett	Bassett

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Benton	Edwards	Lutz	Robertson
Boles	Ellis	McBride	Slate
Boutwell	Erdreich	McCluskey	Smith (K)
Bowers	Falkenburg	McCorquodale	Smith (P)
Brassell	Fite	McDonald	Snell
Burgess	Gafford	McMillan	Stewart
Callahan	Goodwin	McNair	Stokes
Carnes	Grainger	Manley	Stubbs
Carter	Gray (F)	Mathews	Taylor
Casey	Grey (D)	May	Therrell
Cauthen	Hale	Meeks	Timmons
Chesnut	Hardin	Merrill	Turner
Collins	Headley	Mims	Turnham
Connell	Hill	Naramore	Waggoner
Coshatt	Hobbie	Owens	Waldrop
Cottingham	Hughes	Perloff	Wallace
Crawford	Jackson	Porter	Warren
Cross	Jones (F)	Pruitt	Williams
Crowe	King	Reed (T)	Wise
Culver	Kinsey	Reynolds	Wood
Downing	Lang	Roberts	Wynot
Easters			

—93

And the bill:

H. 2087. To amend further Section 4 of Act No. 671, H. 921, Regular Session, 1951 (Acts 1951, p. 1158) as amended, which provides for the appointment of a three member Civil Service Board for Gadsden, appointed by the Governor for a term of three years, to provide further for the increase in membership to five members appointed by a majority vote of the combined legislative delegation of the City of Gadsden; to place restriction on membership.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Connell	Headley	Mims
Adams	Coshatt	Hill	Naramore
Adwell	Cottingham	Hobbie	Owens
Agee	Crawford	Hughes	Perloff
Bank	Cross	Jackson	Porter
Barkett	Crowe	Jones (F)	Pruitt
Barron	Culver	King	Reed (T)
Bassett	Downing	Kinsey	Reynolds
Benton	Easters	Lang	Roberts
Boles	Edwards	Lutz	Robertson
Boutwell	Ellis	McBride	Slate
Bowers	Erdreich	McCluskey	Smith (K)
Brassell	Falkenburg	McCorquodale	Smith (P)
Burgess	Fite	McDonald	Snell
Callahan	Gafford	McMillan	Stewart
Carnes	Goodwin	McNair	Stokes
Carter	Grainger	Manley	Stubbs
Casey	Gray (F)	Mathews	Taylor
Cauthen	Grey (D)	May	Therrell
Chesnut	Hale	Meeks	Timmons
Collins	Hardin	Merrill	Turner

Turnham
Waggoner
WaldropWallace
WarrenWilliams
WiseWood
Wynot

—93

And the bill:

H. 2088. To provide an annual salary for the tax assessor and tax collector of Marshall County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2089. To authorize and provide for holding an advisory referendum by the qualified voters in cities having populations of not less than 9,500 nor more than 10,000, according to the most recent federal decennial census, on the question of establishing a school system separate from the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bassett	Callahan	Connell
Adams	Benton	Carnes	Coshatt
Adwell	Boles	Carter	Cottingham
Agee	Boutwell	Casey	Crawford
Bank	Bowers	Cauthen	Cross
Barkett	Brassell	Chesnut	Crowe
Barron	Burgess	Collins	Culver

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Downing	Hughes	Meeks	Stewart
Easters	Jackson	Merrill	Stokes
Edwards	Jones (F)	Mims	Stubbs
Ellis	King	Naramore	Taylor
Erdreich	Kinsey	Owens	Therrell
Falkenburg	Lang	Perloff	Timmons
Fite	Lutz	Porter	Turner
Gafford	McBride	Pruitt	Turnham
Goodwin	McCluskey	Reed (T)	Waggoner
Grainger	McCorquodale	Reynolds	Waldrop
Gray (F)	McDonald	Roberts	Wallace
Grey (D)	McMillan	Robertson	Warren
Hale	McNair	Slate	Williams
Hardin	Manley	Smith (K)	Wise
Headley	Mathews	Smith (P)	Wood
Hill	May	Snell	Wynot
Hobbie			

—93

And the bill:

H. 2092. Relating to all counties having a population of not less than 16,600 nor more than 16,950, according to the last or any subsequent federal decennial census, authorizing the appointment of a deputy coroner in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2093. To make an appropriation from the Marion County treasury for the relief of Ronnie Cook.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2101. Relating to Baldwin County; to require security deposit for court costs in all civil suits filed in any court in Baldwin County or in lieu thereof a pauper's oath; and prescribing penalties for false statements.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Carter	Erdreich	King
Adams	Casey	Falkenburg	Kinsey
Adwell	Cauthen	Fite	Lang
Agee	Chesnut	Gafford	Lutz
Bank	Collins	Goodwin	McBride
Barkett	Connell	Grainger	McCluskey
Barron	Coshatt	Gray (F)	McCorquodale
Bassett	Cottingham	Grey (D)	McDonald
Benton	Crawford	Hale	McMillan
Boles	Cross	Hardin	McNair
Boutwell	Crowe	Headley	Manley
Bowers	Culver	Hill	Mathews
Brassell	Downing	Hobbie	May
Burgess	Easters	Hughes	Meeks
Callahan	Edwards	Jackson	Merrill
Carnes	Ellis	Jones (F)	Mims

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Naramore	Robertson	Stubbs	Waldrop
Owens	Slate	Taylor	Wallace
Perloff	Smith (K)	Therrell	Warren
Porter	Smith (P)	Timmons	Williams
Pruitt	Snell	Turner	Wise
Reed (T)	Stewart	Turnham	Wood
Reynolds	Stokes	Waggoner	Wynot
Roberts			

—93

And the bill:

H. 2102. Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, and court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure, process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2103. To authorize the city board of education in all cities having a population of not less than 22,000 nor more than 25,000 according to the last

or any subsequent federal decennial census to assume responsibility for community education, park and recreation programs.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2110. Relating to Talladega County, fixing the salary of the tax collector of such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Carnes	Edwards	Hughes
Adams	Carter	Ellis	Jackson
Adwell	Casey	Erdreich	Jones (F)
Agee	Cauthen	Falkenburg	King
Bank	Chesnut	Fite	Kinsey
Barkett	Collins	Gafford	Lang
Barron	Connell	Goodwin	Lutz
Bassett	Coshatt	Grainger	McBride
Benton	Cottingham	Gray (F)	McCluskey
Boles	Crawford	Gray (D)	McCorquodale
Boutwell	Cross	Hale	McDonald
Bowers	Crowe	Hardin	McMillan
Brassell	Culver	Headley	McNair
Burgess	Downing	Hill	Manley
Callahan	Easters	Hobbie	Mathews

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May	Reed (T)	Stewart	Waggoner
Meeks	Reynolds	Stokes	Waldrop
Merrill	Roberts	Stubbs	Wallace
Mims	Robertson	Taylor	Warren
Naramore	Slate	Therrell	Williams
Owens	Smith (K)	Timmons	Wise
Perloff	Smith (P)	Turner	Wood
Porter	Snell	Turnham	Wynot
Pruitt			

—93

And the bill:

H. 2111. Relating to Marshall County, Alabama; relating to The Official Court Reporter for the County Court of Marshall County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2112. Relating to Talladega County, fixing the salary of the Tax Assessor of such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Brassell
Adams	Barkett	Boles	Burgess
Adwell	Barron	Boutwell	Callahan
Agee	Bassett	Bowers	Carnes

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Carter	Goodwin	McDonald	Smith (K)
Casey	Grainger	McMillan	Smith (P)
Cauthen	Gray (F)	McNair	Snell
Chesnut	Grey (D)	Manley	Stewart
Collins	Hale	Mathews	Stokes
Connell	Hardin	May	Stubbs
Coshatt	Headley	Meeks	Taylor
Cottingham	Hill	Merrill	Therrell
Crawford	Hobbie	Mims	Timmons
Cross	Hughes	Naramore	Turner
Crowe	Jackson	Owens	Turnham
Culver	Jones (F)	Perloff	Waggoner
Downing	King	Porter	Waldrop
Easters	Kinsey	Pruitt	Wallace
Edwards	Lang	Reed (T)	Warren
Ellis	Lutz	Reynolds	Williams
Erdreich	McBride	Roberts	Wise
Falkenburg	McCluskey	Robertson	Wood
Fite	McCorquodale	Slate	Wynot
Gafford			

—93

And the bill:

H. 2113. To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Hollins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2114. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

Was taken up.

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H. 2114 POSTPONED

On motion of Mr. McCluskey, the bill, H. 2114, was postponed to the thirty-second legislative day.

And the bill:

H. 2115. To create the office of county license inspector in all counties of this state having a population of not less than 65,000 or more than 68,000 inhabitants, according to the last or any subsequent Federal decennial census, and to provide for the appointment of a license inspector, fix his compensation, prescribe his duties and define his powers, and provide for the operation of his office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2116. To establish the Butler County Court of Common Pleas in lieu of the Inferior Court of Butler County and to abolish said inferior court; to provide for the jurisdiction, officers, sessions, practice and procedure, and costs of the court herein created; to provide for appeals from said court; to provide for the first judge of said court and for the election and term of his successors in office; to prescribe the qualifications and compensation of the judge; and to repeal conflicting laws and to repeal specifically Act No. 27, H. 213, Regular Session 1951 (Acts 1951, p. 235), and all amendments thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2117. To amend Act No. 324, H. 872, Regular Session 1957 (Acts 1957, p. 429), which act provides an expense allowance for the County Solicitor of Butler County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Gray (F)	McNair
Adams	Collins	Grey (D)	Manley
Adwell	Connell	Hale	Mathews
Agee	Coshatt	Hardin	May
Bank	Cottingham	Headley	Meeks
Barkett	Crawford	Hill	Merrill
Barron	Cross	Hobbie	Mims
Bassett	Crowe	Hughes	Naramore
Benton	Culver	Jackson	Owens
Boles	Downing	Jones (F)	Perloff
Boutwell	Easters	King	Porter
Bowers	Edwards	Kinsey	Pruitt
Brassell	Ellis	Lang	Reed (T)
Burgess	Erdreich	Lutz	Reynolds
Callahan	Falkenburg	McBride	Roberts
Carnes	Fite	McCluskey	Robertson
Carter	Gafford	McCorquodale	Slate
Casey	Goodwin	McDonald	Smith (K)
Cauthen	Grainger	McMillan	Smith (P)

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Snell	Therrell	Waggoner	Williams
Stewart	Timmons	Waldrop	Wise
Stokes	Turner	Wallace	Wood
Stubbs	Turnham	Warren	Wynot
Taylor			

—93

And the bill:

H. 2118. To amend Section 1 of Act No. 116, H. 98, Regular Session 1971 (Acts 1971, p. 395), an act relating to counties having populations of not less than 14,000 nor more than 15,000, fixing the fee for issuance of a pistol permit, so as to increase such fee.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2121. Amending Section 1 of Act No. 791, H. 923, Regular Session (Acts 1969, p. 1421), relating to the sheriff's department of Lauderdale County, so as to remove the maximum number of deputies that can be hired.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Brassell
Adams	Barkett	Boles	Burgess
Adwell	Barron	Boutwell	Callahan
Agee	Bassett	Bowers	Carnes

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Carter	Goodwin	McDonald	Smith (K)
Casey	Grainger	McMillan	Smith (P)
Cauthen	Gray (F)	McNair	Snell
Chesnut	Grey (D)	Manley	Stewart
Collins	Hale	Mathews	Stokes
Connell	Hardin	May	Stubbs
Coshatt	Headley	Meeks	Taylor
Cottingham	Hill	Merrill	Therrell
Crawford	Hobbie	Mims	Timmons
Cross	Hughes	Naramore	Turner
Crowe	Jackson	Owens	Turnham
Culver	Jones (F)	Perloff	Waggoner
Downing	King	Porter	Waldrop
Easters	Kinsey	Pruitt	Wallace
Edwards	Lang	Reed (T)	Warren
Ellis	Lutz	Reynolds	Williams
Erdreich	McBride	Roberts	Wise
Falkenburg	McCluskey	Robertson	Wood
Fite	McCorquodale	Slate	Wynot
Gafford			

—93

And the bill:

H. 2125. Relating to counties having a population of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; providing a monthly expense allowance for the chairman and members of the county commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Culver	King	Roberts
Adwell	Cross	Kinsey	Robertson
Agee	Crowe	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

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And the bill:

H. 2126. Relating to Lauderdale County; setting the compensation of certain county officials.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2127. To authorize the Lauderdale County Board of Education to set and establish sick leave and annual leave, and rules pertaining thereto for employees other than teachers so that said employees may, at the discretion of said County Board, participate in leave allowances the same as is provided teachers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Collins	Edwards
Adams	Bowers	Connell	Ellis
Adwell	Brassell	Coshatt	Erdreich
Agee	Burgess	Cottingham	Falkenburg
Bank	Callahan	Crawford	Fite
Barkett	Carnes	Cross	Gafford
Barron	Carter	Crowe	Goodwin
Bassett	Casey	Culver	Grainger
Benton	Cauthen	Downing	Gray (F)
Boles	Chesnut	Easters	Gray (D)

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Hale	McCorquodale	Porter	Taylor
Hardin	McDonald	Pruitt	Therrell
Headley	McMillan	Reed (T)	Timmons
Hill	McNair	Reynolds	Turner
Hobbie	Manley	Roberts	Turnham
Hughes	Mathews	Robertson	Waggoner
Jackson	May	Slate	Waldrop
Jones (F)	Meeks	Smith (K)	Wallace
King	Merrill	Smith (P)	Warren
Kinsey	Mims	Snell	Williams
Lang	Naramore	Stewart	Wise
Lutz	Owens	Stokes	Wood
McBride	Perloff	Stubbs	Wynot
McCluskey			

—93

And the bill:

H. 2129. Relating to counties having populations of not less than 15,625 nor more than 15,850 according to the most recent federal decennial census; providing foreign medical graduates an alternative method by which to become certified to practice medicine within such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93, Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2131. (With Amendment): To increase the annual salary to the Tax Assessor, Tax Collector, Probate Judge, Judge of the Inferior Court, and the Circuit Clerk in each county having a population of not less than 37,000 nor more than 39,000 according to the most recent federal decennial census beginning October 1, 1973 for the Tax Assessor and Tax Collector and on

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the date of the beginning of the next term of office for the Probate Judge, Judge of the Inferior Court, and the Circuit Clerk.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend H. B. 2131 by adding after "Circuit Clerk" in the 2nd line and at the end of the Preamble and in Section 1 (a),

the following words: "and Sheriff".

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2131. To increase the annual salary to the Tax Assessor, Tax Collector, Probate Judge, Judge of the Inferior Court, the Circuit Clerk and Sheriff in each county having a population of not less than 37,000 nor more than 39,000 according to the most recent federal decennial census beginning October 1, 1973 for the Tax Assessor and Tax Collector and on the date of the beginning of the next term of office for the Probate Judge, Judge of the Inferior Court, the Circuit Clerk and Sheriff.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2132. To authorize the county governing body of each county having a population of not less than 37,000 and not more than 39,000 according to the most recent federal decennial census to adopt a resolution and thereby authorize all polling places to remain open between the hours of 8 a.m. and 7 p.m. at all state and local elections held within such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Casey	Fite	Lutz
Adams	Cauthen	Gafford	McBride
Adwell	Chesnut	Goodwin	McCluskey
Agee	Collins	Grainger	McCorquodale
Bank	Connell	Gray (F)	McDonald
Barkett	Coshatt	Gray (D)	McMillan
Barron	Cottingham	Hale	McNair
Bassett	Crawford	Hardin	Manley
Benton	Cross	Headley	Mathews
Boles	Crowe	Hill	May
Boutwell	Culver	Hobbie	Meeks
Bowers	Downing	Hughes	Merrill
Brassell	Easters	Jackson	Mims
Burgess	Edwards	Jones (F)	Naramore
Callahan	Ellis	King	Owens
Carnes	Erdreich	Kinsey	Perloff
Carter	Falkenburg	Lang	Porter

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Pruitt	Smith (P)	Therrell	Wallace
Reed (T)	Snell	Timmons	Warren
Reynolds	Stewart	Turner	Williams
Roberts	Stokes	Turnham	Wise
Robertson	Stubbs	Waggoner	Wood
Slate	Taylor	Waldrop	Wynot
Smith (K)			

—93

And the bill:

H. 2133. Relating to Shelby County; to amend Act No. 1886, Regular Session, 1971 (Acts 1971, p. 3071), providing for protection against forest fires and assessing the cost against forest lands so as to increase the assessment and to exempt from the assessment the first one hundred sixty acres owned by any one owner.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2134. Relating to the City of Montevallo, to provide for an election to permit the sale of alcoholic beverages in Montevallo within one mile of the University of Montevallo.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

Brassell	Falkenburg	McCluskey	Slate
Burgess	Fite	McCorquodale	Smith (K)
Callahan	Gafford	McDonald	Smith (P)
Carnes	Goodwin	McMillan	Snell
Carter	Grainger	McNair	Stewart
Casey	Gray (F)	Manley	Stokes
Cauthen	Grey (D)	Mathews	Stubbs
Chesnut	Hale	May	Taylor
Collins	Hardin	Meeks	Therrell
Connell	Headley	Merrill	Timmons
Coshatt	Hill	Mims	Turner
Cottingham	Hobbie	Naramore	Turnham
Crawford	Hughes	Owens	Waggoner
Cross	Jackson	Perloff	Waldrop
Crowe	Jones (F)	Porter	Wallace
Culver	King	Pruitt	Warren
Downing	Kinsey	Reed (T)	Williams
Easters	Lang	Reynolds	Wise
Edwards	Lutz	Roberts	Wood
Ellis	McBride	Robertson	Wynot
Erdreich			

—93

And the bill:

H. 2136. To provide that this act shall apply to each county of the State having a population of not less than 27,900 nor more than 33,500 according to the last or any subsequent federal census, and to each municipality of such county; to provide that within that area of any such county lying outside the corporate limits and police jurisdiction of any municipality the governing body of the county shall have exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority, in the last mentioned area, to prohibit in public places the sale, or service of alcoholic beverages except to persons seated at tables, or to impose restriction on the sale, or service, of such beverages to persons not seated at tables; to provide that within that area lying within the corporate limits or police jurisdiction of any such municipality the governing body of the municipality shall have the exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times as may be specified by the governing body, and also exclusive authority in the last mentioned area to prohibit in public places the sale, or service, of alcoholic beverages except to persons seated at tables; or to impose restrictions on the sale, or service of any such beverages to persons not seated at tables; to provide that the governing body of any such county or any such municipality, shall have the power to adopt ordinances prescribing any prohibition or restriction this act authorizes the county or city to establish; to provide that any violation of any such ordinances shall constitute a misdemeanor; to repeal any such ordinance of any such county or any such municipality in effect when this act becomes effective in such county or such municipality; to repeal all laws or parts of laws in conflict with the provisions of this act except laws prohibiting or regulating the sale or use of alcoholic beverages on election day or in relation to elections; and to expressly provide that this act repeals any part of either of the following laws in conflict with this act: Act No. 102 of the Regular Session of the Legislature of 1949, approved June 20, 1949, (Ala. Acts, 1949, p. 120) and Section 44, Title 29, Code of Alabama 1940, as now or hereafter amended.

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Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

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And the bill:

H. 2137. Relating to counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to regulate and control the occupancy of any new or existing building or structure of enclosure where people reside, work, gather or otherwise congregate until the drinking water, plumbing, septic tanks and all pit toilets for the property have been approved by the Sanitarian of the county; to make it unlawful for any public utility, company, board, commission, corporation or individual to make available for use on such property electricity, water or other public service until a certificate of occupancy is issued by the Sanitarian of the county; to provide for appeal to the circuit court by the occupant or owner of such property from the decision of the Sanitarian of the county; to provide that any violation of this act shall constitute a misdemeanor; and, to prescribe penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Carnes
Adams	Barron	Bowers	Carter
Adwell	Bassett	Brassell	Casey
Agee	Benton	Burgess	Cauthen
Bank	Boles	Callahan	Chesnut

Collins	Grey (D)	McNair	Smith (P)
Connell	Hale	Manley	Snell
Coshatt	Hardin	Mathews	Stewart
Cottingham	Headley	May	Stokes
Crawford	Hill	Meeks	Stubbs
Cross	Hobbie	Merrill	Taylor
Crowe	Hughes	Mims	Therrell
Culver	Jackson	Naramore	Timmons
Downing	Jones (F)	Owens	Turner
Easters	King	Perloff	Turnham
Edwards	Kinsey	Porter	Waggoner
Ellis	Lang	Pruitt	Waldrop
Erdreich	Lutz	Reed (T)	Wallace
Falkenburg	McBride	Reynolds	Warren
Fite	McCluskey	Roberts	Williams
Gafford	McCorquodale	Robertson	Wise
Goodwin	McDonald	Slate	Wood
Grainger	McMillan	Smith (K)	Wynot
Gray (F)			

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And the bill:

H. 2143. To authorize and provide for a commercial fisherman's helper for certain such fishermen; to provide for the issuance of permits to such helpers; to prescribe the fees for such permits; to provide for their collection and distribution; and to prescribe penalties for violations of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2145. Relating to counties having a population of not less than 42,000 nor more than 49,500 according to the most recent federal decennial

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census; allowing the governing bodies to pay two additional deputies, two jailers, and a bookkeeper for the months of July and August of 1973.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2150. Relating to counties having populations of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census, allowing the county governing bodies of such counties to pay one deputy sheriff from either the public highway and traffic funds or the general funds of such counties, a salary in an amount not to exceed \$500.00 per month payable to such deputy sheriffs, said salary additional to any other now payable.

Was taken up.

H. 2150 POSTPONED

On motion of Mr. Edwards, the bill, H. 2150, was postponed to the thirty-second legislative day.

And the bill:

H. 2151. To amend further Section 1 of Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), as amended, which fixes the fee for issuance of a pistol permit by the sheriff and provides for the distribution and use of such funds, in certain counties classified on a population basis, so as to increase such fee.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2152. To provide for the selection of a presiding judge in the Twenty Seventh Judicial Circuit.

Was taken up.

H. 2152 POSTPONED

On motion of Mr. McDonald, the bill, H. 2152, was postponed to the thirty-second legislative day.

And the bill:

H. 2153. Relating to St. Clair County, to provide for the repeal of the property tax that is presently being levied and collected in St. Clair County for the construction and operation of hospitals and health facilities therein, and to set forth certain conditions for the repeal of said tax, including the providing for the holding of a referendum for the purpose of determining if this Act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

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Brassell	Falkenburg	McCluskey	Slate
Burgess	Fite	McCorquodale	Smith (K)
Callahan	Gafford	McDonald	Smith (P)
Carnes	Goodwin	McMillan	Snell
Carter	Grainger	McNair	Stewart
Casey	Gray (F)	Manley	Stokes
Cauthen	Grey (D)	Mathews	Stubbs
Chesnut	Hale	May	Taylor
Collins	Hardin	Meeks	Therrell
Connell	Headley	Merrill	Timmons
Coshatt	Hill	Mims	Turner
Cottingham	Hobbie	Naramore	Turnham
Crawford	Hughes	Owens	Waggoner
Cross	Jackson	Perloff	Waldrop
Crowe	Jones (F)	Porter	Wallace
Culver	King	Pruitt	Warren
Downing	Kinsey	Reed (T)	Williams
Easters	Lang	Reynolds	Wise
Edwards	Lutz	Roberts	Wood
Ellis	McBride	Robertson	Wynot
Erdreich			

—93

And the bill:

H. 2157. (With Amendment): Relating to Escambia County; dividing Escambia County into two districts for the purpose of electing associate members to the Escambia County Commission; providing for the election of two commissioners for each district and fixing their qualifications and term of office; providing for the manner of electing such commissioners subject to the approval of the electors of the county voting in a referendum thereon.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In the last line of Section 3 of the bill, insert the word: also between the word "may" and the word "appoint".

In the seventh line of Section 4 of the bill, insert the word: not between the word "shall" and the word: "affect".

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Goodwin
Adams	Burgess	Cross	Grainger
Adwell	Callahan	Crowe	Gray (F)
Agee	Carnes	Culver	Grey (D)
Bank	Carter	Downing	Hale
Barkett	Casey	Easters	Hardin
Barron	Cauthen	Edwards	Headley
Bassett	Chesnut	Ellis	Hill
Benton	Collins	Erdreich	Hobbie
Boles	Connell	Falkenburg	Hughes
Boutwell	Coshatt	Fite	Jackson
Bowers	Cottingham	Gafford	Jones (F)

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King	May	Roberts	Timmons
Kinsey	Meeks	Robertson	Turner
Lang	Merrill	Slate	Turnham
Lutz	Mims	Smith (K)	Waggoner
McBride	Naramore	Smith (P)	Waldrop
McCluskey	Owens	Snell	Wallace
McCorquodale	Perloff	Stewart	Warren
McDonald	Porter	Stokes	Williams
McMillan	Pruitt	Stubbs	Wise
McNair	Reed (T)	Taylor	Wood
Manley	Reynolds	Therrell	Wynot
Mathews			

—93

And the bill, H. 2157 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2158. Relating to Sumter County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

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Brassell	Falkenburg	McCluskey	Slate
Burgess	Fite	McCorquodale	Smith (K)
Callahan	Gafford	McDonald	Smith (P)
Carnes	Goodwin	McMillan	Snell
Carter	Grainger	McNair	Stewart
Casey	Gray (F)	Manley	Stokes
Cauthen	Grey (D)	Mathews	Stubbs
Chesnut	Hale	May	Taylor
Collins	Hardin	Meeks	Therrell
Connell	Headley	Merrill	Timmons
Coshatt	Hill	Mims	Turner
Cottingham	Hobbie	Naramore	Turnham
Crawford	Hughes	Owens	Waggoner
Cross	Jackson	Perloff	Waldrop
Crowe	Jones (F)	Porter	Wallace
Culver	King	Pruitt	Warren
Downing	Kinsey	Reed (T)	Williams
Easters	Lang	Reynolds	Wise
Edwards	Lutz	Roberts	Wood
Ellis	McBride	Robertson	Wynot
Erdreich			

—93

And the bill:

H. 2159. To enlarge the corporate limits of the town of Cuba, Alabama, located in Sumter County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2160. Applicable to Sumter County; providing foreign medical

graduates an alternative method by which to become certified to practice medicine within Sumter County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2162. Relating to counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, providing an additional expense allowance for the chairman and members of the governing bodies of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Goodwin
Adams	Burgess	Cross	Grainger
Adwell	Callahan	Crowe	Gray (F)
Agee	Carnes	Culver	Grey (D)
Bank	Carter	Downing	Hale
Barkett	Casey	Easters	Hardin
Barron	Cauthen	Edwards	Headley
Bassett	Chesnut	Ellis	Hill
Benton	Collins	Erdreich	Hobbie
Boles	Connell	Falkenburg	Hughes
Boutwell	Coshatt	Fite	Jackson
Bowers	Cottingham	Gafford	Jones (F)

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King	May	Roberts	Timmons
Kinsey	Meeks	Robertson	Turner
Lang	Merrill	Slate	Turnham
Lutz	Mims	Smith (K)	Waggoner
McBride	Naramore	Smith (P)	Waldrop
McCluskey	Owens	Snell	Wallace
McCorquodale	Perloff	Stewart	Warren
McDonald	Porter	Stokes	Williams
McMillan	Pruitt	Stubbs	Wise
McNair	Reed (T)	Taylor	Wood
Manley	Reynolds	Therrell	Wynot
Mathews			

—93

And the bill:

H. 2061. (With Substitute): Pertaining to Madison County, to set standards for judicial officers in said County for the pre-trial release of those persons accused of crimes, and to establish penalties for failure to appear or for violation of release conditions.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 4, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Pertaining to Madison County, to set standards for judicial officers in said County for the pre-trial release of those persons accused of crimes, and to establish penalties for failure to appear or for violation of release conditions.

Be It Enacted by the Legislature:

Section 1. This Act shall apply only in Madison County.

Section 2. Release prior to trial.

(a) Any person in Madison County charged with an offense, may, at his appearance before a magistrate, be ordered released pending trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the magistrate, unless the magistrate determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the magistrate shall, either in lieu of or in addition to the above methods of release, impose the first of the following conditions of release which will reasonably assure the appearance of the person for trial or, if no single condition gives that assurance, any combination of the following conditions:

(1) place the person in the custody of a designated person or organization agreeing to supervise him;

(2) place restrictions on the travel, association, or place of abode of the person during the period of release;

(3) require the execution of an appearance bond in a specified amount and the deposit with the clerk of the court, in cash or other security as directed, of a sum not to exceed 10 per cent of the amount of the bond, 90 per cent of such deposit to be returned upon the performance of the conditions of release;

(4) require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof; or

(5) impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

(b) In the event of a cash deposit as provided in Section 2 (a) (3), above, all sums retained by the clerk after return of 90 per cent of the deposit therein provided for, and the total amount of such deposit in the event of a forfeiture shall be paid over to the county governing body and shall be used to implement the provisions of this act, including investigative costs and the costs of returning violators of the provisions of this act to custody.

(c) In determining which conditions of release will reasonably assure the appearance of a person as required, the magistrate shall, on the basis of available information as presented by the District Attorney or any probation officer in the county, take into account such matters as the nature and circumstances of the offense charged, the weight of the evidence against the person, his family ties, employment, financial resources, character and mental condition, past conduct, length of residence in the community, record of convictions, and any record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings. The magistrate shall, in making such factual determinations, bear in mind that this Act has two purposes, one of which is to assure the presence of the defendant at trial and the other of which is to assure that all persons, regardless of their financial or social status, shall not needlessly be detained pending their appearance to answer charges, or pending appeal, when detention serves neither the ends of justice nor the public interest.

(d) A magistrate authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation, and shall warn such person of the penalties provided in Section 3.

(e) A judicial officer ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release.

(f) If it is determined that custody or detention pursuant to section 1 (a) (5) is required, all time spent in custody or detention shall count as part of any sentence to hard labor for the County or confinement in the county jail subsequently received by the person detained as a result of the charge or charges for which he was arrested and detained.

Section 3. Penalties for failure to appear.

(a) Whoever, having been released pursuant to this Act, wilfully fails to appear before any court or magistrate as required, shall incur a forfeiture of

any security which was given or pledged for his release, and, in addition, shall, (1) if he was released in connection with a charge of felony, be guilty of a misdemeanor and be fined not more than \$5,000 or imprisoned for not more than one year, or both, or (2) if he was released in connection with a charge of misdemeanor, be guilty of a misdemeanor and be fined not more than the maximum provided for such misdemeanor or imprisoned for not less than ninety days and not more than one year, or both.

(b) Failure to appear after notice of the appearance date shall be prima facie evidence that the failure to appear is willful. Whether the person was warned when released of the penalties for failure to appear shall be a factor in determining whether the failure to appear was willful.

(c) This section applies to a defendant even if he has not received actual notice of the appearance date if (1) reasonable efforts to notify the defendant have been made, and (2) the defendant, by his own actions, has frustrated the receipt of actual notice.

Section 4. Sanctions for violation of release conditions.

(a) A person who has been conditionally released pursuant to section 1 and who has violated a condition of release shall be subject to revocation of release and to being held in contempt of court.

(b) Proceedings for revocation of release may be initiated on motion of the district attorney. A warrant for the arrest of a person charged with violating a condition of release may be issued by a magistrate and the person shall be brought before a magistrate in the county. No order of revocation shall be entered unless, after a hearing, the magistrate finds that there is clear and convincing evidence that the person has violated a condition of his release due to inattention, negligence, or by act of will.

(c) Contempt sanctions may be imposed if, upon a hearing and in accordance with procedures applicable to criminal contempt, it is established that the person has intentionally violated a condition of his release. The contempt proceedings shall be expedited and heard by the court without a jury. A person found guilty of contempt for violation of a condition of release shall be imprisoned for not more than six months, or fined not more than \$1,000, or both.

Section 5. Sanctions for committing serious offenses while on release.

(a) A person who has been conditionally released pursuant to section 1 and as to whom there is probable cause to believe he has committed a felony while released shall be subject to revocation of release.

(b) Proceedings for revocation of release may be initiated on motion of the district attorney. No order of revocation shall be entered unless, after a hearing, the magistrate finds by clear and convincing evidence that (1) a State or Federal magistrate, judge, judicial officer, or grand jury has found probable cause to believe that the person has committed a felony and (2) such felony was committed while the person was released on the prior charge.

Section 6. Contempt.

Nothing in this Act shall interfere with or prevent the exercise by any court of Alabama of its power to punish for contempt.

Section 7. Definitions.

As used in sections 1-5 of this Act, the term "magistrate" means, unless otherwise indicated, any circuit judge or equivalent thereof in the Twenty-Third Judicial Circuit, any probate judge in Madison County, any county court judge or judge of any other court created in lieu thereof, or city recorder or equivalent thereof in Madison County.

Section 8. Legislative Intent.

It is the intent of the Legislature that this Act shall be a guide to magistrates, as defined herein, to insure that no person be needlessly detained because of his personal economic circumstances so long as his release shall not be contrary to the public interest and also shall serve the purpose of assuring the defendant's presence at the trial. It is not the intent of the Legislature that this Act be so liberally construed to allow the indiscriminate release of accused persons.

Section 9. Scope of Act.

This Act is cumulative and is intended to supplement and extend the presently existing provisions relating to bail bonds contained in Title 15, Code of Alabama.

Section 10. The provisions of this Act are severable, and if any part hereof is declared invalid or unconstitutional, such declaration shall not effect the remaining parts thereof.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Section 13. The procedures prescribed in this Act shall be cumulative and in addition to all other bail and release procedures provided by law.

And the substitute was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Casey	Fite	Lutz
Adams	Cauthen	Gafford	McBride
Adwell	Chesnut	Goodwin	McCluskey
Agee	Collins	Grainger	McCorquodale
Bank	Connell	Gray (F)	McDonald
Barkett	Coshatt	Grey (D)	McMillan
Barron	Cottingham	Hale	McNair
Bassett	Crawford	Hardin	Manley
Benton	Cross	Headley	Mathews
Boles	Crowe	Hill	May
Boutwell	Culver	Hobbie	Meeks
Bowers	Downing	Hughes	Merrill
Brassell	Easters	Jackson	Mims
Burgess	Edwards	Jones (F)	Naramore
Callahan	Ellis	King	Owens
Carnes	Erdreich	Kinsey	Perloff
Carter	Falkenburg	Lang	Porter

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Pruitt	Smith (P)	Therrell	Wallace
Reed (T)	Snell	Timmons	Warren
Reynolds	Stewart	Turner	Williams
Roberts	Stokes	Turnham	Wise
Robertson	Stubbs	Waggoner	Wood
Slate	Taylor	Waldrop	Wynot
Smith (K)			

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And the bill, H. 2061 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Gray (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2135. Providing for the appointment, powers, compensation and duties of deputy registrars in Madison County; providing that the board of registrars shall pass upon all applications for registration; and to authorize county governing bodies to provide necessary funds and personnel to provide such service.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bassett	Callahan	Connell
Adams	Benton	Carnes	Coshatt
Adwell	Boles	Carter	Cottingham
Agee	Boutwell	Casey	Crawford
Bank	Bowers	Cauthen	Cross
Barkett	Brassell	Chesnut	Crowe
Barron	Burgess	Collins	Culver

Downing	Hughes	Meeks	Stewart
Easters	Jackson	Merrill	Stokes
Edwards	Jones (F)	Mims	Stubbs
Ellis	King	Naramore	Taylor
Erdreich	Kinsey	Owens	Therrell
Falkenburg	Lang	Perloff	Timmons
Fite	Lutz	Porter	Turner
Gafford	McBride	Pruitt	Turnham
Goodwin	McCluskey	Reed (T)	Waggoner
Grainger	McCorquodale	Reynolds	Waldrop
Gray (F)	McDonald	Roberts	Wallace
Grey (D)	McMillan	Robertson	Warren
Hale	McNair	Slate	Williams
Hardin	Manley	Smith (K)	Wise
Headley	Mathews	Smith (P)	Wood
Hill	May	Snell	Wynot
Hobbie			

—93

And the bill:

H. 877. Relating to counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census, so as to allow probate judges of such counties to store a copy of the records of the probate court at a place, selected by said judge, outside the State, in order to protect such records from fire, natural disaster, civil disorder, nuclear attack, or other destruction.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

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And the bill:

H. 2048. (With Substitute): To amend Sections 3, 11, 12 and 18 of

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Act No. 107, H. 150, Special Session 1956 (Acts 1956, p. 154), as amended, relating to the retirement system for the City of Prichard.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 3, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to all cities having a population of not less than 40,000 nor more than 42,000 according to the last or any subsequent federal decennial census, making certain changes in the employees' pension system.

Be It Enacted by the Legislature of Alabama:

Section 1. The following provisions shall apply to the pension system of all cities having a population of not less than 40,000 nor more than 42,000 according to the last or any subsequent federal decennial census:

(a) There shall be a pension and relief system which shall apply to and include all permanent employees of said cities, which such pension and relief system shall be administered through a fund to be known as "The Municipal Employees' Pension and Relief Fund," hereinafter referred to as the "fund," as provided for herein, which such fund shall be derived and raised, received, obtained and created, although not exclusively, in the following manner:

(1) By transfer into the fund hereby created all agency funds created pursuant to Act No. 107, adopted February 14, 1956, as amended.

(2) By payment into the fund by the proper authorities of said cities a monthly amount equal to sixteen percent (16%) of the compensation paid to every employee of the cities covered by this act. Of such sixteen percent (16%) ten and one-half percent (10½%) shall be paid into such fund by said cities, a five and one-half percent (5½%) shall be held and deducted by the proper authorities of said cities from the salary or compensation of each employee covered.

(b) Any employee of the city, except as herein otherwise provided, who has been in the service of the city for as long as twenty (20) years, the last four (4) years of which (counting a major fraction of a year as a full year) have been continuous, and who is then employed by the city, upon his or her making application to the city council of the city, shall be retired from service as an employee without medical examination or disability. Any employee who has been in the service of the city for as long as twenty (20) years, the last four (4) years of which (counting a major fraction of a year as a full year) have been continuous, and whose employment has been terminated prior to his making application for retirement from service as an employee of the city shall be entitled to make application for retirement as an employee without medical examination or disability as if he were yet an employee of the city provided such application is made in writing to the city council of the city within sixty (60) days from the date his employment was terminated, and be entitled to the benefits accorded by this act; provided, that in the event that the employee had withdrawn any of his contributions at the end of

any prior period or periods of employment such contributions shall be repaid by him, including interest at the rate of four percent (4%) per annum, prior to the commencement of any benefits due him under the plan which are based on the inclusion of the prior period or periods of service.

In the event of the discharge, without just cause, of any permanent employee, who has served as many as ten (10) continuous years, such person shall, upon reaching the age of fifty-five (55) be entitled to and receive from the fund an annual pension (payable in monthly installments) equal to two and one-half percent (2½%) of his or her annual compensation at the time of his or her discharge, or two and one-half percent (2½%) of the average annual compensation of such employee over the then past four (4) calendar years, whichever shall be the greater for each year or major fraction thereof that said employee shall have served at the time of dismissal.

Upon retirement in the manner provided for by this act, the said city council of the city shall direct the payment to such retiring person monthly from the fund a sum equal to the compensation or salary received by such retiring person as salary in the service or employment of said city at the time of his or her retirement or termination of the average compensation of such employee over the past four (4) calendar years (whichever is greater) multiplied by the percentage applicable from the table below:

Years Service	Percentage
20	50
21	51
22	52
23	53
24	54

provided, however, that such payments to said retired person shall not commence or be effective until said person has attained the age of fifty-five (55) years.

Upon the election of the employee, however, the pension as described in the foregoing sentences to which the employee is entitled upon reaching age fifty-five (55) shall commence at the earlier of the date when the employee attains the age of fifty-five (55) or reaches the twentieth anniversary of his employment date with the city, whichever date first occurs. In the event of such election of the commencement of his or her pension by any employee before age fifty-five (55), as above, the amount of the pension to which he or she becomes entitled will be the actuarial equivalent of the amount of the pension to which the employee would have become entitled upon reaching age fifty-five (55). The actuarially equivalent pension shall reflect the lost interest due to the earlier commencement of the pension payments and the longer life expectancy of the employee at his or her earlier age, and shall be determined by the actuary employed by the city council of the city, using in his calculations the interest and mortality assumptions employed by him in his most recent valuation of the liabilities under the fund as of the date of any such election by an employee.

Provided that the word "consecutive" as used in the foregoing section shall not be construed to the effect that any employee of the city, otherwise entitled to participate in the municipal employees pension and relief fund shall be penalized or shall have taken from him or her any length of service

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with the city by reason of him or her having obtained a leave of absence or otherwise been temporarily out of the employ of the city, and such leave of absence or other non-employment of said employee shall be approved by the city council of the city.

(c) Any employee of the city who has been in the service thereof for as long as twenty-five (25) years, the last four (4) years of which (counting a major fraction of a year as a full year) have been continuous, upon making written application to the city council of the city, therefor, shall, without medical examination or disability be retired from service of the city and upon such retirement the said Council shall direct the payment to said retiring employee, if he or she be fifty-five (55) years of age or more, monthly from such fund, a sum equal to the compensation or salary received by such retiring person as salary in the service or employment of said city at the time of his or her retirement or termination or the average compensation of such employee over the past four (4) calendar years (whichever is greater) multiplied by the percentage applicable from the table below:

Years Service	Percentage
25	55
26	56
27	57
28	58
29	59
30	60

Provided that the percentage shall increase 1% for each year of service over 30 years.

If the employee should not be age fifty-five (55), however, the pension as described in the foregoing sentences to which the employee is entitled upon reaching the age of fifty-five (55) shall commence at such earlier date as the employee may elect. In the event of such election of the commencement of his or her pension by any employee before age fifty-five (55), as above, the amount of the pension to which he or she then becomes entitled will be the actuarial equivalent of the amount of the pension to which the employee would have become entitled upon reaching age fifty-five (55). The said actuarially equivalent pension shall reflect the loss of interest due to the earlier commencement of the pension payments and the longer life expectancy of the employee at his or her earlier age, and shall be determined by the actuary employed by the city council of the city, using in his calculations the interest and mortality assumptions employed by him in his most recent valuation of the liabilities under the pension fund as of the date of any such election by an employee.

With regard to any years of service prior to a break in service of the employee, which are included in the computation of the total service of an employee under the terms of this section, on account of which years the employee had withdrawn the one-half ($\frac{1}{2}$) of his own contributions to which he would have been entitled under the retirement system of said cities, no such years will be credited to the employee in the computation of his or her pension until he or she has repaid to the fund the amount of his or her contributions previously withdrawn, plus compound interest at four percent (4%) per annum, from the date of the withdrawal to the date of his or her retirement.

Whenever an active employee of the city or a former employee of the city retired under the terms of this Act shall die while so employed or enjoying the benefits of such pension, there shall be appropriated and paid from the fund the sum of two hundred fifty and 00/100 dollars (\$250.00) for funeral and burial expenses of such decedent, which such sum shall be used for funeral and burial expenses and paid out on order of the head of the department of which such decedent was a member, or on order of the city council of the city.

(d) There is hereby created a board to be known as the "Board of Pensions," for the purpose of carrying out the provisions of this Act. Said board shall consist of four members to be selected by the city council of the city and three members elected by the employees of the city. The members of said board shall serve staggered terms of four years each; the city council shall set the initial terms so that no more than two members' terms expire in any one year. The Board of Pensions shall meet separately from the city council of the city. Such board shall have the same ministerial power as herein conferred on the city council of the city and all reference in this Act made to the city council of the city shall, insofar as is practicable, be also applicable to the Board of Pensions; provided, however, that any suit brought on behalf of the city under the provisions of this Act shall also be brought in the name of such board.

(e) In the event of the death of a married employee and if at the time of such death the employee (a) is in the active employment of the city, or (b) is receiving a pension either for disability or for longevity from the city a pension shall be paid to his or her spouse.

The annual amount of such spouse's pension (which shall be payable monthly) shall be equal to one-half ($\frac{1}{2}$) of the amount of pension which the deceased employee, if on a disability pension, was receiving or entitled to receive at the time of his death; or one-half ($\frac{1}{2}$) of the amount which the deceased employee, if actively employed, would have been entitled to as a pension upon attaining age fifty-five (55), or immediately if he is then age fifty-five (55) or older as the case may be, if he had retired instead of dying on the day of his death. In no event, however, will the amount of such spouse's pension be less than ten percent (10%) of the annual compensation of the employee at the time of his death, or ten percent (10%) of his annual compensation over the then past four (4) calendar years, whichever shall be the greater. Each such spouse's pension shall be increased by ten percent (10%) thereof on account of each child under the age of eighteen (18); provided, however, that such child or children shall be the natural children of the deceased employee or the spouse, or shall have been legally adopted prior to the death of the employee. Each such additional ten percent (10%) of the spouse's pension shall cease upon the attainment of the age of eighteen (18) by the child on whose account such additional pension is payable or upon such child's earlier death.

On the death of a widow or widower (or employee divorced or legally separated from his spouse), leaving a child or children under the age of eighteen (18), (provided such children are the natural children of the deceased employee or the spouse, or were legally adopted by the deceased employee and the spouse prior to the date of death of the employee), the part of the spouse's pension that would have been paid on behalf of each such child shall be doubled and paid to the legally appointed guardian of such child (if

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any there be) and if not to the person in whose care or custody such child shall be, or such other suitable person as directed by the city council (and such payment to such person shall be a complete release for the city and for the trustee of this pension plan) on an annual basis up to and including the year in which such child attains the age of eighteen (18) years.

In the event of the remarriage of a spouse who is receiving a spouse's pension, such spouse shall receive a lump sum payment of three (3) times the annual pension then payable to him, including in the computation of such pension the additional pension being paid on account of children under the age of fifteen (15). For those children over the age of fifteen (15) and not yet eighteen (18) at the time of the remarriage of the spouse, such spouse will receive the amount that would have been paid such children until they reached age eighteen (18) had such spouse not remarried. This lump sum payment will be made in lieu of and in full discharge of all further pension payments which the spouse (or children) would otherwise have been entitled to receive.

In the event of the death of a spouse receiving a spouse's pension from this pension fund, together with an additional amount on behalf of the dependent children under the age of eighteen (18) years, the spouse's pension inclusive of any amount received by him on account of such children shall cease, but each of such dependent children shall receive through his or her legal guardian (or to the person and under the conditions as hereinbefore set forth, and with the same relief of responsibility to the city and to the trustee under this act) an annual pension the amount of which for each such dependent child shall be double the amount allowed for him or her in the augmented spouse's pension. Each such orphan's pension shall cease after the year in which the child on whose account such pension is payable attains the age of eighteen (18) or upon such child's earlier death, it being understood that the proper payment shall be made upon the eighteenth (18th) birthday of such child, but that thereafter no payments shall be made to such child.

(f) Under no circumstances shall the city council of the city raise the compensation of any city employee for the purpose of increasing said employee's pension benefits upon retirement.

Section 2. All laws or parts of laws, general, special or local, in conflict with this law are hereby repealed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall be effective January 1, 1974.

And the substitute was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett

Barron
Bassett
Benton
Boles
Boutwell
Bowers

Brassell
Burgess
Callahan
Carnes
Carter
Casey

Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham

Crawford	Headley	Mathews	Snell
Cross	Hill	May	Stewart
Crowe	Hobbie	Meeks	Stokes
Culver	Hughes	Merrill	Stubbs
Downing	Jackson	Mims	Taylor
Easters	Jones (F)	Naramore	Therrell
Edwards	King	Owens	Timmons
Ellis	Kinsey	Perloff	Turner
Erdreich	Lang	Porter	Turnham
Falkenburg	Lutz	Pruitt	Waggoner
Fite	McBride	Reed (T)	Waldrop
Gafford	McCluskey	Reynolds	Wallace
Goodwin	McCorquodale	Roberts	Warren
Grainger	McDonald	Robertson	Williams
Gray (F)	McMillan	Slate	Wise
Grey (D)	McNair	Smith (K)	Wood
Hale	Manley	Smith (P)	Wynot
Hardin			

—93

And the bill:

H. 2048. Relating to all cities having a population of not less than 40,000 nor more than 42,000 according to the last or any subsequent federal decennial census, making certain changes in the employees' pension system.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

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And the bill:

S. 640. To amend Act No. 140, H. 108, First Special Session 1971 (Acts 1971, p. 218), which act authorizes demolition of certain buildings in certain cities based on population classification, so as to provide further that

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notice be given to all mortgagees of such buildings and also providing notice be given to any architectural review boards, historic development commissions or other regulatory boards in such cities.

Was taken up.

S. 640 INDEFINITELY POSTPONED

On motion of Mr. Wood, the bill, S. 640, was indefinitely postponed.

And the bill:

H. 2091. To authorize and provide for the collection of an additional application or issuance fee to be charged by the License Commissioners, Judges of Probate, Directors of Revenue, or other public officers performing like duties relating to the application or issuance of motor vehicle licenses, motor vehicle license transfers, drivers licenses or permits, business or professional licenses and the transfer of business licenses in all counties having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal census, provided however, that no affidavit fee of twenty-five cents presently prescribed by law in said counties shall be collected for affidavits taken or required in the course of the application or issuance of licenses or transfers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2098. To amend Act No. 342, Section 1 on Page 632 of the 1971 Acts of Alabama, "to PROVIDE AN ADDITIONAL AND ALTERNATIVE method of assessing, paying taxes on and issuing license tags for motor

vehicles in counties having a population of 300,000 or more according to the last or any subsequent federal census." This amendment to provide for an increase in the mail fee for motor vehicle license tags issued by mail in counties having a population of not less than 300,000 nor more than 500,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

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And the bill:

H. 1895. (With Substitute): Authorizing marriages to be solemnized by certain persons in addition to those persons now authorized by law in counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 3, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Authorizing marriages to be solemnized by certain persons in addition to those persons now authorized by law in counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to those persons now or heretofore authorized to perform marriage ceremonies, the Probate Judge of counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census, may authorize other persons to solemnize marriages in this state as hereinafter provided.

Section 2. The Probate Judges in said counties may designate one or more persons to solemnize marriages in the County of such person's residence provided such person is a registered voter in such County, and provided further that such person is of good moral character and provided further such person is a duly appointed Notary Public and takes the oath of office provided of elected and appointed officials.

Section 3. There shall be only twelve authorized persons appointed in said county and the fees for such services shall not exceed \$5.00 (five dollars) per ceremony.

Section 4. Any person appointed under the provisions of this Act to solemnize marriages shall adhere strictly to all laws governing the solemnizing of marriages in this State.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

SUBSTITUTE TABLED

On motion of Mr. Therrell, the substitute offered by the Standing Committee on Local Legislation No. 3 to the bill, H. 1895, was tabled.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

Mr. Therrell offered the following substitute to the bill:

**A BILL
TO BE ENTITLED
AN ACT**

Authorizing marriages to be solemnized by certain persons in addition to those persons now authorized by law in counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to those persons now or heretofore authorized to perform marriage ceremonies, the Probate Judge of counties having populations of not less than 300,000 nor more than 600,000 according to the most recent federal decennial census, may authorize other persons to solemnize marriages in this state as hereinafter provided.

Section 2. The Probate Judges in said counties may designate one or more persons to solemnize marriages in the county of such person's residence provided such person is a registered voter in such county, and provided further that such person is of good moral character and provided further such person is a duly appointed Notary Public and takes the oath of office provided for elected and appointed officials.

Section 3. There shall be only twelve authorized persons appointed in said county and the fees for such services shall not exceed \$5.00 (five dollars) per ceremony.

Section 4. Any person appointed under the provisions of this Act to solemnize marriages shall adhere strictly to all laws governing the solemnizing of marriages in this State.

Section 5. The terms of the persons appointed under the provisions of this Act shall run concurrently with that of the Probate Judge. Said persons shall serve at the pleasure of the Probate Judge.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Collins	Edwards
Adams	Bowers	Connell	Ellis
Adwell	Brassell	Coshatt	Erdreich
Agee	Burgess	Cottingham	Falkenburg
Bank	Callahan	Cross	Fite
Barkett	Carnes	Crowe	Gafford
Barron	Carter	Culver	Goodwin
Bassett	Casey	Crawford	Grainger
Benton	Cauthen	Downing	Gray (F)
Boles	Chesnut	Easters	Grey (D)

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Hale	McCorquodale	Porter	Taylor
Hardin	McDonald	Pruitt	Therrell
Headley	McMillan	Reed (T)	Timmons
Hill	McNair	Reynolds	Turner
Hobbie	Manley	Roberts	Turnham
Hughes	Mathews	Robertson	Waggoner
Jackson	May	Slate	Waldrop
Jones (F)	Meeks	Smith (K)	Wallace
King	Merrill	Smith (P)	Warren
Kinsey	Mims	Snell	Williams
Lang	Naramore	Stewart	Wise
Lutz	Owens	Stokes	Wood
McBride	Perloff	Stubbs	Wynot
McCluskey			

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And the bill, H. 1895 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 1346. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts, 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

31st Day

Brassell	Falkenburg	McCluskey	Slate
Burgess	Fite	McCorquodale	Smith (K)
Callahan	Gafford	McDonald	Smith (P)
Carnes	Goodwin	McMillan	Snell
Carter	Grainger	McNair	Stewart
Casey	Gray (F)	Manley	Stokes
Cauthen	Grey (D)	Mathews	Stubbs
Chesnut	Hale	May	Taylor
Collins	Hardin	Meeks	Therrell
Connell	Headley	Merrill	Timmons
Coshatt	Hill	Mims	Turner
Cottingham	Hobbie	Naramore	Turnham
Crawford	Hughes	Owens	Waggoner
Cross	Jackson	Perloff	Waldrop
Crowe	Jones (F)	Porter	Wallace
Culver	King	Pruitt	Warren
Downing	Kinsey	Reed (T)	Williams
Easters	Lang	Reynolds	Wise
Edwards	Lutz	Roberts	Wood
Ellis	McBride	Robertson	Wynot
Erdreich			

—93

And the bill:

H. 741. Relating to Judicial Circuits composed of one county and having not less than six or more than nine Circuit Judges; to provide for the appointment in said circuits of one Grand Jury Bailiff; to prescribe his duties, to fix his term of employment and to prescribe his compensation and provide for the payment of his compensation out of the General Fund of the County.

Was read a third time at length and passd, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Kinsey	Robertson
Agee	Culver	Lang	Slate
Bank	Downing	Lutz	Smith (K)
Barkett	Easters	McBride	Smith (P)
Barron	Edwards	McCluskey	Snell
Bassett	Ellis	McCorquodale	Stewart
Benton	Erdreich	McDonald	Stokes
Boles	Falkenburg	McMillan	Stubbs
Boutwell	Fite	McNair	Taylor
Bowers	Gafford	Manley	Therrell
Brassell	Goodwin	Mathews	Timmons
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Turnham
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hill	Perloff	Williams
Collins	Hobbie	Porter	Wise
Connell	Hughes	Pruitt	Wood
Coshatt	Jackson	Reed (T)	Wynot
Cottingham			

—93

And the bill:

H. 2078. (With Amendment): Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county, and to provide for the severability of the parts, sections and provisions of the Act.

Was taken up.

Mr. Reed (T) offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monie received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county, and to provide for the severability of the parts, sections and provisions of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. A County Racing Commission is hereby created and established for and in each county having a population of not less than 24,500 nor more than 25,000 according to the most recent or any subsequent federal decennial census and said Racing Commission is vested with the powers and duties specified in this Act, and all other powers necessary and proper to enable it to execute fully and effectually the purposes of the Act. The Official name of said Commission shall be THE COUNTY RACING COMMISSION, the same being sometimes referred to herein as the Racing Commission or the Commission. Said Commission shall consist of seven persons who shall be appointed by the County Commission of the county upon the recommendation and approval of the member of the House of Representatives of the State of Alabama, who is the principal sponsor of this bill and upon the termination of his membership in the House of Representatives, upon the recommendation and approval by the legislative delegations, respectively, from each of the counties to which this Act applies. Each such mem-

ber shall hold office for a term of one (1) year from the effective day of the appointment. Each commissioner shall appoint five members to serve in an advisory capacity to the commission and shall function without pay or any monetary remuneration other than any such courtesies as the commission may extend. All books, records, maps, documents and papers shall constitute public records, and be available for copying, examination and inspection during all normal business hours by any agency, official or person.

Section 2. The members of the Commission shall be qualified electors not less than twenty-one years of age, who shall have resided in the County for the period of five years next preceding their appointment. Each Commissioner shall take the same constitutional oath of office as other county officers, and shall give bond payable to the County in the amount of \$5,000.00, conditioned that he will faithfully and properly perform the duties of his office. The premiums on such bonds shall be paid by the Commission. The Commission may employ such assistants and employees as may be necessary, but all such employees and assistants shall be subject to the county wide merit or civil service system, if any there be in such County, and their compensation and duties shall be prescribed in the same manner as the compensation and duties of other public employees subject to said county wide merit or civil service system.

A member of the Racing Commission must not be an official member of any board of directors, or person financially interested in any race track or race meeting licensed by the Commission, nor shall he race dogs in any race meeting licensed by the Commission.

Section 3. The compensation of each member of the commission shall be one thousand dollars (\$1,000.00) per month. Three members of said commission shall be required to be in attendance at each racing event, and said designated members shall receive an additional fifty dollars (\$50.00) per diem while engaged in the performance of his duties. The above sums shall be paid out of the funds in the county treasury deposited to the credit of the County Racing Commission, and shall be paid to the commissioners in the same manner as the compensation of other county officers is paid. Each member of the commission shall devote time adequate for the fulfillment of his duties relative to the business of the commission.

Any and all commissioners shall be paid the above per diem plus travel expenses and other expenses while engaged in activities related to the work of the commission.

Section 4. The County Treasurer of the county shall be ex officio treasurer of the Racing Commission, and shall collect all the license fees, taxes, and monies provided in this Act, and shall supervise, check and audit the operation of the parimutuel wagering pools and the conduct and distribution thereof.

Section 5. The Racing Commission shall have the authority to employ legal counsel of its selection provided such persons employed do not reside in the county in which said track is located, to advise the Commission and represent it in all proceedings. The compensation of such counsel shall be paid out of the general fund of the county in which said track or tracks may be located. No such legal counsel or a member of his firm shall hold elected public office.

Section 6. It shall be the duty of the County Racing Commission to carry out the provisions of this Act; and it shall have the following specific duties:

(1) To fix and set dates upon which race meetings may be held or operated.

(2) To make an annual report to the county commission of its operation, showing its own actions and rulings, and receipts derived under the provisions of this Act, and such suggestions as it may deem proper for the more effective accomplishment of the purpose of this Act.

(3) To require each applicant, who must have been a resident of the State of Alabama for at least five years immediately preceding the date the license is issued, to set forth on his application for a license to operate a race meeting the following information:

(a) The full name of the person, association, or corporation, and if a corporation, the name of the State under which the same is incorporated, and the name of the corporation's agents for service of process within the State of Alabama.

(b) If an association or corporation, the names of the stockholders and directors of the corporation or the names of the officers and directors of the association.

(c) The exact location where it is desired to conduct or hold a race meeting and a complete set of architects' renderings and detailed construction plans, showing the site topography, the type of construction, the track design and the concession plans, together with a statement of the assets and liabilities of the person, firm or corporation making such application.

(d) Whether the racing plant is owned or leased, and if leased, the name and address of the owner, or if the owner is a corporation, the names of the officers and directors thereof, each of whom shall have been a resident of the State of Alabama for at least five years immediately preceding the date on which the license is issued; provided, however, that nothing in this Act shall prevent any person, association, or corporation from applying to the commission for a permit to conduct races where the racing plant has not been constructed.

(e) The kind of racing to be conducted and the dates requested.

(f) Such other information as the commission may require.

(4) To require an oath of every applicant, or by the president or executive officer of the association or corporation, stating that the information contained in the application is true.

(5) To make uniform rules and regulations governing the holding, conducting, and operating of all race tracks, race meetings, and races held in the county.

Section 7. All books, records, maps, documents, and papers of the commission, including those filed with the commission as well as those prepared by or for it, shall at all times be open for the personal inspection of any officer of the State of Alabama, or of any county, municipality, or other subdivision of the State, or of any official investigative body or committee, and

no person having charge or custody thereof shall refuse this right to any officer or investigative body or committee, and it shall be the express duty of such person to assist such officer or committee in locating records or information desired by them. Any member or employee of the commission who violates the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail not exceeding three months. If any member of the commission violates the provisions of this section, he shall be subject to removal from office.

Section 8. Any person, association, or corporation desiring to operate a race track in the county shall have the right, subject to the provisions of this Act, to hold and conduct one or more race meetings at such track each year, provided, that no such license shall be granted to any person, association, or corporation, or to any track, for a period longer than one hundred twenty racing days in any one year. Any and all applicants for license to operate under this Act shall have been residents of the State of Alabama for at least five years immediately preceding the date on which such license is issued.

Section 9. No race or racing shall be permitted on Sunday. No person under twenty-one years of age shall be employed in any manner about said race track except as exercise boys and grooms; nor shall persons under eighteen years of age be permitted to attend any race.

Section 10. (a) On or before the 15th day of October of each year, any person, association, or corporation possessing the qualifications prescribed in this Act shall have the right to apply to the Racing Commission for a permit or license to conduct race meetings and racing under this Act. On or before the first day of December of each year, after the receipt of any such application, the commission shall convene to consider and act upon all permits or licenses applied for. Approved permits or licenses shall be granted for a period of one year from the date of issuance and shall set forth, in addition to any other information prescribed by the Commission, the name of the licensee, the location of the race track, the duration of the race meeting and the kind of racing desired to be conducted and shall show the receipt by the Commission of the license fee set by the Commission, the setting of which is hereby authorized. No such license shall be transferable, nor shall it apply to any other place, track, or enclosure except the one specified in this license.

(b) The Commission shall not issue any licenses which would permit any two race tracks in the County to operate on the same racing days. Further, after the first license has been issued to the licensee, all subsequent annual applications for a license by a permit holder shall be accompanied by proof (in such form as the Commission may require) that said licensee still possesses the qualifications set out in this Act. Such applications for renewal of license shall not be denied except for due cause.

(c) All employees of said track, except such technicians necessary for operating said track who do not reside in such counties, must be bona fide resident citizens of the county in which said track is located.

Section 11. The commission may suspend or revoke the license of any licensee conducting a race meeting, upon the willful violation of any of the provisions of the Act, or any rule or regulation promulgated by the Commission or may invoke a fine not to exceed \$1,000.00 per offense in lieu thereof.

It is unlawful for any member of said Racing Commission, or any licensee under this chapter, directly or indirectly, to make any contribution whatsoever to any political party or to any candidate for any State, County or Municipal office, and upon proof being presented of any such prohibited contribution having been made by any licensee, the Commission shall immediately and permanently revoke the license of such licensee. If any member of said Racing Commission violates the provisions of this section, such member shall be subject to removal from office. No disciplinary action may be taken hereunder until the licensee has been presented with notice in writing specifying the time and place of a disciplinary hearing, said notice setting out in substance the nature of the accusation, and inviting the licensee to appear, with or without counsel, as the licensee may decide, the licensee being afforded an opportunity to face and examine his accusers, call witnesses, and testify if he chooses.

Section 12. The commission is empowered to compel the production of any and all books, memoranda, or documents showing the receipts and disbursements of any person, association or corporation licensed to conduct race meetings under the provisions of this Act. The commission may at any time require the removal of any employee or official employed by any licensee hereunder whenever it has reason to believe that such employee or official is guilty of any improper practice in connection with racing, has failed to comply with any condition of the license, or has violated any rule adopted by the commission. The commission shall have the power to require that the books and financial or other statements of any licensee be kept in a manner and method provided by the commission, and the commission shall be authorized to visit, investigate, and place auditors and inspectors in the offices, tracks, or place of business of any person, association or corporation licensed under this Act. The commission shall have power to summon witnesses before its meetings; to administer oaths to such witnesses, and to require testimony on any issue before it. Any person failing to appear before said commission, or failing to produce books, records, and documents ordered, or refusing to testify thereon, shall be deemed guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction, shall be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment not to exceed six months, or by both fine and imprisonment in the discretion of the court.

Section 13. The commission shall have the power to grant, refuse, suspend, or withdraw licenses to all persons connected with race tracks, including gate keepers, announcers, ushers, starters, officials, drivers, dog owners, agents, trainers, grooms, stable foremen, exercise boys, veterinarians, valets, sellers of racing forms or bulletins and attendants in connection with the wagering machines, pursuant to such rules and regulations as the commission may adopt and upon the payment of a license fee as fixed and determined by the commission in accordance with the position and compensation of such person. Any license may be revoked by the commission, at its discretion, and any person whose license is revoked shall be ineligible to participate in such occupation connected with racing unless the license is returned by the commission with permission to operate thereunder. The commission may deny or revoke a license to any person who has been refused or denied a license by any other state racing commission or racing authority.

Section 14. The commission shall make rules governing, permitting, and regulating the wagering on dog races under the form or mutual wagering by patrons known as "Pari-Mutuel Wagering", which method shall be legal to

the extent that, and so long as, the same is carried on and conducted strictly in conformity with this Act, and not otherwise. Only the persons, associations, or corporations receiving a license from the commission shall have the right or privilege to conduct this type of wagering, and the licenses shall restrict and confine this form of wagering to a space within the race meeting grounds. All other forms of wagering on the result of dog races shall continue to be illegal, and any or all wagering outside of the enclosure of such races, where such races shall have been licensed by the commission shall be illegal.

No person or corporation shall directly or indirectly purchase pari-mutuel tickets or participate in the purchase of any part of a pari-mutuel pool for another for hire or for any gratuity and no person shall purchase any part of a pari-mutuel pool through another, wherein he gives or pays directly or indirectly such other person anything of value. Any person violating this section shall be deemed guilty of a misdemeanor, and, upon conviction in a court of competent jurisdiction, shall be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment not to exceed six months, or both fine and imprisonment in the discretion of the court.

Section 15. Every licensee conducting race meetings under the provisions of this Act, shall pay to the Ex-officio Treasurer of the Racing Commission for the use of the Commission, a tax in an amount equal to seven (7) percent of the total contributions to all pari-mutuel pools conducted or made on any race track licensed under this Act. The Commission of a licensee on a parimutuel pool shall in no event exceed eighteen percent (18%) of the amount contributed to said parimutuel pool, which amount shall include the seven percent (7%) tax heretofore provided. After the deduction of the seven percent (7%) for the use of the commission and the percentage commission of the licensee, the remainder of the total contributions to each pool shall be divided among and redistributed to the contributors to such pools betting on the winning dog. The amount of each redistribution for each winning bet placed shall be determined by dividing the total amount remaining in the pool after the deductions hereinabove provided for by the number of bets placed on the winning dog. Each redistribution shall be made in a sum equal to the next lowest multiple of ten. The licensee is entitled to retain one-half ($\frac{1}{2}$) of the odd cents on all redistributions to be known as the "breaks to a dime." The remaining one-half ($\frac{1}{2}$) of the "breaks" shall be paid to the Ex-officio Treasurer of the Racing Commission for the use of the Commission as a "breaks tax". Under the parimutuel system of wagering herein provided, the license shall be permitted to provide separate pools for bets to win, place, and show and also a daily double pool, a quiniela pool and a double quiniela pool. Each pool shall be redistributed separately as here in provided. Should there be no ticket bet on the winning dog, the entire pool will be divided among the holders of tickets on the dog running next in line until the pool has been redistributed to the contributors. The licensee shall be required to use a totalizator machine to record the wagering and compute the odds. Rules and regulations governing the operation of each of the pools shall be set out in book form by the Racing Commission. The licensee shall collect from each person attending the race meetings under the provisions of this Act fifteen percent (15%) of the established admission price or ten cents, whichever sum is the greater, as an admission tax. Licensees shall make payment of such taxes to the ex-officio treasurer of the Racing Commission every seventh calendar day of any and every race meeting, which payment shall be accompanied by a report on the races covered by such report and such other information as the commission may require.

Section 16. If any free passes or complimentary cards shall be issued to guests by any licensee, such licensee shall nevertheless be responsible for payment of the admission tax upon such complimentary admission cards or passes as though they had been sold at regular admission price. However, nothing herein contained shall be construed to prohibit the issuance of tax-free passes to officials and actual employees of the licensee, or other persons actually engaged in working at such track, including persons actually employed and accredited by the press or other news service; provided, that the issuance of all such tax-free passes shall be governed by the regulations and orders of the commission and a list of all such officers, employees, and news service representatives shall be filed with the commission.

Section 17. The license fees, commissions, and excise taxes imposed herein shall be in lieu of all license, excise, and occupational taxes to the State of Alabama, or any county, city, town, or other political subdivision thereof.

Section 18. All fees, commissions, taxes and other monies, including fines and forfeitures, received under the provisions of this Act shall be paid to the ex-officio treasurer of the Racing Commission and shall be forthwith remitted by him to the Alabama Exchange Bank for deposit to the account of THE COUNTY RACING COMMISSION. All such monies remaining after payment of the expenses incurred in the administration of this Act, including the payment of the salaries and expenses of the members and employees of the Commission shall be distributed by the treasurer, monthly as follows: Twenty percent (20%) to the county school board; which shall be earmarked for increases in salaries paid to county school bus drivers, teachers and principals of such counties; twenty percent (20%) to the county governing body; twenty percent (20%) to the county community action committee incorporated of such counties; twenty percent (20%) to institutions of higher learning in such counties; and twenty percent (20%) to the largest municipality in such county for the first calendar year of operation of said tracks; and thereafter to any other municipality of such counties in such order or sequence as the committee shall from year to year determine. The commission may, in its discretion, change the above mentioned distribution of any monies remaining after track expenses are paid.

Section 19. The provisions of this Act shall not apply to the running of races conducted by any state fair association or county fair association which holds not more than one meeting annually and which restricts such annual meeting to three days or less.

Section 20. Any corporation, association, or person who directly or indirectly holds any dog race without having procured a license as prescribed in this Act, shall be guilty of a misdemeanor. Any person wagering upon the results of such a race, except in the pari-mutuel or mutuel method of wagering when the same is conducted by a licensee and upon the grounds or enclosure of said licensee, shall be guilty of a misdemeanor. Any corporation, organization, association, or person who violates any provision of this Act, for which a penalty is not expressly provided shall be guilty of a misdemeanor. Upon conviction of any of the above misdemeanors in a court of competent jurisdiction, the penalty shall be a fine of not less than one hundred dollars (\$100.00), nor more than one thousand dollars (\$1,000.00), or by imprisonment of not less than five days nor more than six months, or both, such fine and imprisonment to be in the discretion of the court.

Section 21. No person who engages in the practice of professional gambling on dog races, or in the practice of making gambling or wagering books on such races, or who knowingly takes any part in such practices, shall be eligible as an applicant for any license or permit to operate a race track or a race meeting under the provisions of this Act, or to be connected therewith in any capacity; and any association or corporation which has as an officer, director, stockholder, executive, or employs any person who engages in such practices shall likewise be ineligible as a licensee, and the commission is hereby empowered to inquire into such matters in entertaining any such applications and otherwise in administering this Act.

Section 22. Any person who shall influence or have any understanding or connivance with any owner, groom, or other person associated with or interested in any kennel, dog, or race in which any dog participates, to prearrange or predetermine the results of any such race, or any person who shall stimulate or depress a dog for the purpose of affecting the results of a race, shall be guilty of a felony and upon conviction thereof, shall be imprisoned in the state prison for not less than one year nor more than ten years, or shall be fined not less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00) or both, in the discretion of the court.

Section 23. It shall be unlawful for any person to transmit or communicate to another by any means whatsoever the results, changing odds, track conditions, or any other information relating to any dog race from any race track in the county, between the period of time beginning one hour prior to the first race of any day and ending thirty minutes after the posting of the official results of each race, as to that particular race, except that this period may be reduced to permit the transmitting of the results of the last race each day not sooner than fifteen minutes after the official posting of such results. Provided, however, that the commission may, by rule, permit the immediate transmission by radio, television, or press wire of any pertinent information concerning feature races.

It shall be unlawful for any person to transmit by any means whatsoever racing information to any other person, or to relay the same to any other person by word of mouth, by signal, or by use of telephone, telegraph, radio, or any other means, when the information is knowingly used or intended to be used for illegal gambling purposes, or in furtherance of such gambling purposes.

Any person violating the provisions of this section shall be guilty of a felony and, upon conviction, shall be imprisoned in the state penitentiary for not less than one year nor more than ten years, or shall be fined not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000.00). or both, in the discretion of the court.

Section 24. The county commission shall call and provide for holding a referendum for the purpose of determining if this Act shall become operative. The referendum shall be held on the same day as the next general, special, or primary election held in the county, and shall be advertised, held, conducted and the results thereof canvassed in the manner provided by law for advertising, holding, and canvassing county bond elections. The question to be voted on shall be stated on the ballots or voting machine tabs substantially as follows: "Do you favor the creation of a County Racing Commission to regulate licensing and supervision of dog racing and wagering thereon as provided in Act No. approved , 1973?" If the majority of the votes cast in

the referendum are "Yes," dog racing shall be legal in the county and this Act shall become operative therein; if the majority of the votes cast in the election are "No," this Act shall have no further effect. The probate judge of the county shall certify the results of the referendum to the Secretary of State of Alabama within 30 days after the election returns are canvassed.

Section 25. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 26. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 27. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Carnes	Hughes	Perloff
Adams	Collins	King	Porter
Agee	Coshatt	Lang	Roberts
Bank	Cottingham	McBride	Smith (K)
Barron	Culver	McCorquodale	Snell
Benton	Downing	McMillan	Stokes
Boutwell	Gray (F)	May	Stubbs
Brassell	Hale	Nettles	Therrell
Callahan	Headley	O'Daniel	

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Mr. Gray (F) offered the following amendment to the bill, H. 2078 as amended:

Amend H. B. 2078 by striking the following words from Section 1:

"upon the recommendation and approval of the member of the House of Representatives of the State of Alabama, who is the principal sponsor of this bill and upon the termination of his membership in the House of Representatives."

AMENDMENT TABLED

On motion of Mr. Reed (T), the amendment offered by Mr. Gray (F) to the bill, H. 2078 as amended, was tabled.

Yeas 15; Nays 13.

Yeas:

Messrs.:	Fite	May	Smith (K)
Callahan	Headley	Owens	Stokes
Cottingham	Hobbie	Parker	Stubbs
Downing	Lang	Reid (R)	Warren

Nays:

Messrs.:	Carnes	Gray (F)	Lutz
Adams	Chesnut	Hale	Therrell
Bank	Coshatt	King	Wood
Barron	Grainger		

—13

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 2078 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 35; Nays 11.

Yeas:

Messrs.:	Cottingham	Hobbie	Perloff
Bank	Culver	King	Roberts
Barkett	Downing	Lang	Robertson
Barron	Falkenburg	McBride	Smith (K)
Bassett	Flippo	McNair	Snell
Boutwell	Gray (F)	May	Stokes
Brassell	Hardin	Nettles	Stubbs
Callahan	Headley	O'Daniel	Wise
Coshatt	Hill	Parker	Wynot

—35

Nays:

Mr. Speaker	Carnes	Cross	Stewart
Adams	Carter	Gafford	Turner
Burgess	Chesnut	Reynolds	

—11

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO RECONSIDER ADOPTED

Having previously filed a Motion in Writing, Mr. Kinsey moved to reconsider the vote by which the bill, H. 2058, passed, and the motion was adopted.

And the bill:

H. 2058. Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to prohibit during the hours between sundown and sunrise the discharge of a gas gun which produces an explosion to drive off birds or animals doing crop damage within a certain distance of the residence of any other person without that persons written consent; prescribing penalties for the violation of this Act.

Was again taken up.

H. 2058 INDEFINITELY POSTPONED

On motion of Mr. Kinsey, the bill, H. 2058, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

And the bill:

H. 2062. Relating to counties having a population of not less than 300,000 and not more than 500,000 according to the last Federal Decennial Census; to authorize the manufacture of any alcoholic, spirituous, vinous or otherwise alcoholic beverages and malt or brewed beverages in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 2.

Yeas:

Messrs.:	Coshatt	Headley	Parker
Adams	Cottingham	Hearn	Porter
Agee	Crawford	Hill	Reed (T)
Bank	Cross	Hughes	Roberts
Barkett	Culver	Jackson	Smith (K)
Bassett	Downing	King	Snell
Benton	Easters	Lutz	Stokes
Boutwell	Ellis	McBride	Stubbs
Burgess	Erdreich	McCluskey	Taylor
Callahan	Falkenburg	McDonald	Waggoner
Carnes	Fite	McMillan	Wallace
Casey	Grainger	McNair	Wise
Cauthen	Gray (F)	Meeks	Wood
Chesnut	Hardin	Nettles	Wynot
Collins	Harris	Owens	

—58

Nays: Mr. Speaker and Therrell.

—2

And the bill:

H. 634. (With Substitute): To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits of the City of Chickasaw, and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 3, said Committee substitue being as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits of the City of Chickasaw,

and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Chickasaw in Mobile County, Alabama are altered, rearranged and extended to include within the corporate limits of said city the parcels of land hereinafter described, and the boundaries of the City of Mobile in Mobile County, Alabama are altered and rearranged to exclude from the corporate limits of said city the said parcels described as follows:

PARCEL 1:

Beginning at the point of intersection of the south line of the City Limits of Chickasaw with the east boundary line of Craft Highway, run southwardly along the east boundary line of Craft Highway 500 feet to a point; thence turning left run due east for a distance of 1310 feet more or less to a point on the east boundary line of Telegraph Road; thence run northerly along the east boundary line of Telegraph Road 680 feet more or less to the north line of a 50-foot railroad right-of-way, which is the south line of the existing Chickasaw City Limits; thence run westwardly along the north line of said 50-foot railroad right-of-way for 40 feet more or less to a point on the center line of Telegraph Road; thence turn right $75^{\circ}-36'$ and run along said center line for a distance of 292.88 feet to a point; thence turn left $89^{\circ}-15'$ and run westwardly along the line between Gaylords (formerly Arkell and Smith's) and Ray Brooks for a distance of 243.57 feet to a point on the east line of a 50-foot railroad spur right-of-way; thence run southwardly 140.08 feet along said east right-of-way line which lies on an arc of a curve to the left, having a radius of 294 feet, said arc being subtended by a chord of 138.76 feet which forms a deflection angle of $103^{\circ}-39'$ with the last described line; thence turn right $76^{\circ}-30'$ from an extension of said chord and run southwestwardly 50 feet to a point; thence turn left $62^{\circ}-51'$ and run southwardly 189.10 feet to a point on the north boundary of Twelfth Avenue Extension; thence run easterly along said north boundary of Twelfth Avenue Extension a distance of 230.89 feet to a point on the west right-of-way line of Telegraph Road; thence run southeastwardly along said west boundary line a distance of 61.84 feet to a point on the south boundary of Twelfth Avenue; thence run westwardly along said south boundary line of Twelfth Avenue a distance of 948 feet to a point on the east boundary of Craft Highway, which is the Point of Beginning.

PARCEL 2:

Beginning at the point of intersection of the north and east lines of Section 21, T3S, R1W, in Mobile County, Alabama, run west along the north line of Section 21 to a point which is the intersection of the west line of U. S. Highway 43 and the north line of Section 21; thence run northwardly along the west line of U. S. Highway 43 to a point which is the intersection of the west line of U. S. Highway 43 and the south bank of Chickasaw Creek; thence run easterly along the south bank of said Chickasaw Creek a distance of 210 feet, more or less, to its junction with the east right-of-way line of U. S. Highway 43; thence continue easterly along the south bank of Chickasaw Creek for 75 feet, more or less, to the west line of the Alabama, Tennessee, and Northern Railroad; thence run southerly along the west line of the Alabama, Tennessee and Northern Railroad for 3100 feet, more or less, to a

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point on the east line of said Section 21; thence run northerly along the east line of said Section 21 for 1800 feet, more or less to the point of beginning.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 4; Nays 3.

Yeas:

Messrs.:	Perloff	Roberts	Stokes	
Downing				—4

Nays:

Messrs.:	Nettles	Therrell	Wood	
				—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 634 as thus amended, was read a third time at length and lost.

Yeas 4; Nays 4.

Yeas:

Messrs.:	Roberts	Stokes	Therrell	
Perloff				—4

Nays:

Mr. Speaker	Downing	Nettles	Wood	
				—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 685. (With Substitute): To amend Act No. 1434, S. 769, Regular Session 1971 (Acts 1971, p. 2459), an act relating to counties having a population of not less than 110,000 nor more than 150,000 inhabitants; fixing the salaries of chairman and associate members of the Civil Service Boards of such counties.

Was taken up.

Mr. Culver offered the following substitute to the bill, H. 685 with pending substitute:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 1434, S. 769, Regular Session 1971 (Acts 1971, p. 2459), an act relating to counties having a population of not less than 110,000 nor more than 150,000 inhabitants; fixing the salaries of chairman and associate members of the Civil Service Boards of such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 1434, S. 769, Regular Session 1971 (Acts 1971, p. 2459), an act relating to counties having a population of not less than 110,000 nor more than 150,000 inhabitants; fixing the salaries of chairman and associate members of the Civil Service Boards of such counties, is amended to read as follows:

"Section 2. The chairman of the Civil Service Board of any such county having a Civil Service Board shall receive a quarterly salary of one hundred and twenty dollars (\$120.) and each associate member thereof shall receive a quarterly salary of one hundred dollars (\$100.). The salaries of the chairman and associate members shall be paid quarterly out of the county treasury."

Section 2. This Act shall take effect on the first of the month next following the date of its enactment.

And the substitute was adopted.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Crawford	Headley	O'Daniel
Agee	Cross	Hearn	Owens
Bank	Culver	Hill	Parker
Barkett	Downing	Hughes	Perloff
Barron	Drake	Jackson	Pruitt
Bassett	Easters	King	Roberts
Benton	Ellis	Kinsey	Robertson
Boles	Erdreich	Lutz	Slate
Boutwell	Falkenburg	McBride	Snell
Bowers	Fite	McDonald	Stokes
Burgess	Flippo	McMillan	Stubbs
Carnes	Gafford	McNair	Wallace
Carter	Grainger	May	Williams
Casey	Gray (F)	Meeks	Wise
Connell	Grey (D)	Naramore	Wood
Coshatt	Hardin	Nettles	Wynot
Cottingham	Harris		

—66

And the bill, H. 685 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Agee	Barron	Boles	Carnes

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Carter	Fite	King	Perloff
Casey	Flipppo	Kinsey	Reed (T)
Connell	Gafford	Lutz	Reynolds
Coshatt	Goodwin	McBride	Roberts
Cottingham	Grainger	McDonald	Robertson
Crawford	Gray (F)	McMillan	Slate
Cross	Grey (D)	McNair	Smith (K)
Crowe	Hardin	Mathews	Snell
Culver	Harris	May	Stokes
Doss	Headley	Meeks	Stubbs
Downing	Hearn	Naramore	Taylor
Drake	Hill	Nettles	Wallace
Easters	Hughes	O'Daniel	Williams
Ellis	Jackson	Owens	Wise
Falkenburg	Jones (F)	Parker	Wood

—72

SPECIAL ORDER

The House then proceeded with the consideration of the Special Order.

And the bill:

H. 1022. To establish a Community Service Agency within the Executive Office of the Governor; to authorize said agency to analyze the human service needs in all areas not specifically assigned to another state agency; to cooperate with other state agencies, regional planning and development commissions, local governing bodies, public and private non-profit corporations, and other private and public agencies in the development and implementation of a delivery system for human services; to authorize said agency to award grants and contracts for the administration of human service programs, which may be funded from federal, state, regional, local and private sources.

As thus amended, on the thirtieth legislative day, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 6.

Yeas:

Messrs.:	Easters	King	Reed (T)
Agee	Edwards	Lutz	Roberts
Bank	Ellis	McBride	Snell
Barron	Erdreich	McDonald	Stewart
Bassett	Falkenburg	McMillan	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Goodwin	Mathews	Taylor
Carnes	Grainger	May	Turner
Chesnut	Hale	Mims	Waggoner
Connell	Harris	Naramore	Waldrop
Coshatt	Headley	Nettles	Wallace
Cottingham	Hearn	Owens	Warren
Crawford	Hill	Parker	Williams
Crowe	Hughes	Porter	Wood
Downing	Jones (F)	Pruitt	Wynot

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Nays:

Mr. Speaker	Boles	Gafford	Slate
Barkett	Burgess		

—6

MOTION TO RECONSIDER ADOPTED

Having previously filed a Motion in Writing and voted on the prevailing side, Mr. Jackson moved to reconsider the vote by which the bill, H. 46, passed, and the motion was adopted.

Yeas 52; Nays 25.

Yeas:

Mr. Speaker	Downing	Jones (F)	Pruitt
Adams	Drake	King	Reynolds
Agee	Easters	Kinsey	Slate
Barkett	Edwards	Lang	Smith (P)
Barron	Ellis	McCluskey	Snell
Brassell	Fite	McCorquodale	Stubbs
Boutwell	Gafford	McDonald	Taylor
Carter	Goodwin	McMillan	Turner
Chesnut	Hardin	May	Waggoner
Connell	Headley	Mims	Wallace
Cottingham	Hill	O'Daniel	Warren
Crawford	Hobbie	Owens	Williams
Crowe	Hughes	Porter	Wise

—52

Nays:

Messrs.:	Cross	Lutz	Perloff
Burgess	Doss	McNair	Reid (R)
Callahan	Erdreich	Manley	Smith (K)
Carnes	Flippo	Merrill	Stewart
Casey	Grainger	Naramore	Stokes
Cauthen	Hale	Nettles	Waldrop
Collins	Harris		

—25

The Clerk was directed to request the return of the bill, H. 46, from the Senate for further consideration by the House.

SPECIAL ORDER RESUMED

And the bill:

H. 311. To amend Sections 5 and 6 of Act No. 29, H. 43, Special Session 1970, (Acts 1969-70, Vol. III, p. 2630), which relates to the establishment of Water, Sewer, and Fire Protection Districts in the several counties, to allow staggered terms of office for its directors so as not to affect any other district now in operation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Benton	Chesnut	Downing
Adams	Boles	Connell	Easters
Agee	Bowers	Coshatt	Edwards
Bank	Brassell	Crawford	Ellis
Barkett	Carnes	Cross	Erdreich
Barron	Carter	Crowe	Falkenburg
Bassett	Casey	Culver	Fite

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Flippo	Jones (F)	Mims	Smith (K)
Gafford	King	Naramore	Smith (P)
Goodwin	Kinsey	Nettles	Snell
Grainger	Lang	Owens	Stokes
Gray (F)	Lutz	Parker	Stubbs
Grey (D)	McCluskey	Perloff	Taylor
Hale	McMillan	Porter	Turner
Harris	McNair	Pruitt	Waggoner
Headley	Manley	Reid (R)	Waldrop
Hill	Mathews	Reynolds	Wallace
Hobbie	May	Roberts	Williams
Hughes	Meeks	Robertson	Wise
Jackson	Merrill	Slate	

—79

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Robertson, the rules were suspended in order to bring up out of order the bill, H. 684.

And the bill:

H. 684. To amend Title 52, Section 63, Code of Alabama 1940, as amended, which relates to the membership on county boards of education, so as to change the population bracket in the proviso providing that not more than one classroom teacher may serve on said county board.

Was taken up.

Mr. Robertson offered the following substitute to the bill:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Title 52, Section 63, Code of Alabama 1940, as amended, which relates to the membership on county boards of education, so as to change the population bracket in the proviso providing that not more than two classroom teachers may serve on said county board in an advisory capacity only and shall be elected by the classroom teachers of such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. Title 52, Section 63, Code of Alabama 1940, as amended, is hereby amended to read as follows:

“Section 63. Members.—The county board of education shall be composed of five members, who shall be elected by the qualified electors of the county. They shall be persons of good moral character, with at least a fair elementary education, of good standing in their respective communities, and known for their honesty, business ability, public spirit and interest in the good of public education. No member of the county board of education shall be an employee of said board; provided, that in counties having populations of not less than 106,000 nor more than 125,000, according to the most recent federal decennial census, not more than two classroom teachers employed by the board may serve on the board in a purely advisory capacity. Such classroom teachers shall be elected by their fellow classroom teachers in such county.”

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Parker
Adams	Crowe	Jackson	Perloff
Agee	Culver	Jones (F)	Porter
Bank	Downing	King	Pruitt
Barkett	Easters	Kinsey	Reed (T)
Barron	Ellis	Lutz	Reynolds
Bassett	Erdreich	McBride	Roberts
Benton	Falkenburg	McCluskey	Robertson
Boles	Fite	McMillan	Smith (K)
Boutwell	Flippo	McNair	Smith (P)
Bowers	Gafford	Manley	Snell
Brassell	Goodwin	May	Stokes
Carnes	Grainger	Meeks	Stubbs
Carter	Gray (F)	Merrill	Taylor
Casey	Harris	Mims	Turner
Cauthen	Headley	Naramore	Waggoner
Chesnut	Hearn	Nettles	Waldrop
Connell	Hill	O'Daniel	Wallace
Cottingham	Hobbie	Owens	Williams
Crawford			

—77

And the bill:

H. 684. To amend Title 52, Section 63, Code of Alabama 1940, as amended, which relates to the membership on county boards of education, so as to change the population bracket in the proviso providing that not more than two classroom teachers may serve on said county board in an advisory capacity only and shall be elected by the classroom teachers of such counties.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Parker
Adams	Culver	Jackson	Perloff
Agee	Downing	Jones (F)	Porter
Bank	Easters	King	Pruitt
Barkett	Edwards	Kinsey	Reed (T)
Barron	Ellis	Lutz	Reynolds
Bassett	Erdreich	McBride	Roberts
Benton	Falkenburg	McCluskey	Robertson
Boles	Fite	McMillan	Smith (K)
Bowers	Flippo	McNair	Smith (P)
Brassell	Gafford	Manley	Snell
Carnes	Goodwin	May	Stokes
Carter	Grainger	Meeks	Stubbs
Casey	Gray (F)	Merrill	Taylor
Cauthen	Hardin	Mims	Turner
Chesnut	Harris	Naramore	Waggoner
Connell	Headley	Nettles	Waldrop
Cottingham	Hearn	O'Daniel	Wallace
Crawford	Hill	Owens	Williams
Cross	Hobbie		

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SPECIAL ORDER RESUMED

And the bill:

H. 295. To amend Title 52, Section 341, Code of Alabama, 1940, to provide that the county or city superintendent may excuse a teacher from attendance at institute held prior to the beginning of the school term and to further provide that when such absence is due to sickness the teacher may be granted sick leave in accordance with policies governing such leave on any regularly scheduled work day.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson	Pruitt
Adams	Easters	Jones (F)	Reed (T)
Agee	Edwards	King	Reid (R)
Bank	Ellis	Kinsey	Reynolds
Barkett	Erdreich	Lutz	Roberts
Barron	Falkenburg	McBride	Robertson
Bassett	Fite	McMillan	Smith (K)
Benton	Flippo	McNair	Smith (P)
Boles	Gafford	Manley	Snell
Boutwell	Goodwin	May	Stewart
Brassell	Grainger	Meeks	Stubbs
Carnes	Gray (F)	Merrill	Taylor
Carter	Grey (D)	Mims	Turner
Casey	Hale	Naramore	Turnham
Chesnut	Harris	Nettles	Waggoner
Connell	Headley	O'Daniel	Waldrop
Cottingham	Hearn	Owens	Wallace
Crawford	Hill	Parker	Warren
Cross	Hobbie	Perloff	Williams
Crowe	Hughes	Porter	Wynot
Culver			

—81

And the bill:

H. 1202. Relating to mental health, enacting the Interstate Compact on mental health; providing for the interstate movement of patients; defining terms; providing for the treatment of or transfer of patients between states, regardless of residence, if such transfer would be beneficial to the patient; describing the obligation of the sending and receiving states; providing that the state is not obligated to accept a patient from another state unless agreed to in advance; providing for the payment of costs of transfer; providing for aftercare or supervision; prescribing a procedure to handle the escape of dangerous patients; providing for the transfer of any patient through states; providing for the continuation of legal guardianship responsibilities and allowing the appointment of supplemental or substitute guardians; providing that this Act does not apply to any person institutionalized while under sentence in a penal or correctional institution or while subject to trial on a criminal charge; providing for a compact administrator; providing for supplemental agreement; prescribing a method for withdrawal from the compact.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hobbie	Owens
Agee	Culver	Hughes	Perloff
Bank	Downing	Jackson	Porter
Barkett	Easters	Jones (F)	Pruitt
Barron	Edwards	King	Reid (R)
Bassett	Ellis	Kinsey	Reynolds
Benton	Erdreich	Lang	Roberts
Boles	Falkenburg	Lutz	Smith (K)
Boutwell	Fite	McCluskey	Smith (P)
Bowers	Flippo	McMillan	Stewart
Brassell	Gafford	McNair	Stubbs
Carnes	Goodwin	Manley	Taylor
Carter	Grainger	Mathews	Turner
Casey	Gray (F)	May	Turnham
Cauthen	Grey (D)	Meeks	Waggoner
Chesnut	Hale	Merrill	Waldrop
Connell	Harris	Mims	Wallace
Coshatt	Headley	Naramore	Warren
Cottingham	Hearn	Nettles	Williams
Cross	Hill	O'Daniel	Wynot

—80

And the bill:

H. 832. (With Substitute): To amend Sections 1 and 5 of Act No. 21, H. 28, as amended, enacted at the 1969 Special Session of the Legislature of Alabama, relating to raising revenue and levying a tax against certain persons and utilities and prescribing rates and exclusions therefrom, and providing for collecting such tax and enforcing payment thereof, and providing for the disposition of the proceeds from said tax; to delete the phrase "other than by a municipality or other municipal entity organized by a utility" in Section 1, and to add new Sections (h) and (i) to Section 5 of Act 21.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1 and 5 of Act No. 21, H. 28, as amended, enacted at the 1969 Special Session of the Legislature of Alabama, relating to raising revenue and levying a tax against certain persons and utilities and prescribing rates and exclusions therefrom, and providing for collecting such tax and enforcing payment thereof, and providing for the disposition of the proceeds from said tax; to delete the phrase "other than by a municipality or other municipal entity organized by a utility" in Section 1, and to add new Sections (h) and (i) to Section 5 of Act 21.

Be It Enacted by the Legislature of Alabama:

1. Section 1. That Section 1 of Act No. 21, H. 28, enacted at the 1969 Special Session of the Legislature of Alabama, be and the same is hereby amended to read as follows:

"Section 1. Definitions. Wherever used in this Act, unless a different meaning clearly appears in the context, the following terms shall be given the following respective interpretations:

" 'Domestic Water' shall mean all water except water that is sold to persons for use or consumption in industrial processes and not primarily for human consumption.

" 'Gross receipts' shall mean the value proceeding or accruing from the furnishing of utility services, all receipts actual and accrued, without any deduction on account of the cost of the utility services sold, the cost of materials used, labor or service cost, interest paid, or any other expenses whatever, and without any deductions on account of losses. 'Gross receipts' shall also mean and include the reasonable and fair market value of any utility services originating with the utility or previously purchased at wholesale which are used or consumed by said utility in connection with its business or by any other person in connection with the business or requirements of such other person.

" 'Gross sales' shall mean the value proceeding or accruing from the furnishing of utility services (and including the proceeds from the sale of any utility services handled on consignment by the taxpayer), without any deduction on account of the cost of the utility services sold, the cost of the materials used, labor or service cost, interest paid, or any other expenses whatever, and without any deductions on account of losses. 'Gross sales' shall also mean and include the reasonable and fair market value of any utility services originating with the utility or previously purchased at wholesale which are used or consumed by said utility in connection with its business or by any other person in connection with the business or requirements of such other persons.

" 'Person' shall mean an individual firm, copartnership, association, trust, receiver, corporation or other entity, and shall specifically include the State of Alabama, every county in the State of Alabama, every municipal corporation in the State of Alabama, the United States of America and its agencies, and every public corporation or entity organized under the laws of the United States of America or under the laws of any state of the United States of America, and operating in the State of Alabama, as well as every private or non-public entity.

" 'Retail sale' shall mean all sales except those defined herein as wholesale sales.

" 'Taxpayer' shall mean any person liable for taxes under the provisions of this Act.

" 'Utility' shall mean every person regularly engaged in furnishing utility services to another person or other persons in the State of Alabama.

" 'Utility services' shall mean electricity; domestic water; natural gas; telegraph services; and telephone services to subscribers; provided that 'utility services' shall not mean telephone services or telegraph services stored, used or consumed by a utility regularly engaged in furnishing such services or either of them to the public, or telephone services or telegraph services which

are not subject to regulation by the Alabama Public Service Commission or any successor thereto; provided, further, that 'utility services' shall not mean utility services stored, used or consumed by an utility.

" 'Wholesale sale' shall mean a sale or exchange of utility services by a utility to or with anyone, including any person or any utility, engaged in the resale of such utility services in the regular course of business, but does not include a sale of utility services by a utility to a consumer or user, not for resale."

Section 2. That Section 5 of Act No. 21, H. 28, enacted at the 1969 Special Session of the Legislature of Alabama, be and the same is hereby amended to read as follows:

"Section 5. Exclusions. There are hereby specifically excluded from the gross receipts or gross sales of a utility, upon which the tax herein levied is calculated, all portions thereof derived from the following:

"(a) the furnishing of utility services which the State of Alabama is prohibited from taxing under the Constitution or laws of the United States of America or the Constitution of the State of Alabama;

"(b) the furnishing of utility services which are otherwise taxed under the provisions of Act No. 100 adopted at the Second Extraordinary Session of 1959 of the Legislature of Alabama, as amended;

"(c) wholesale sales;

"(d) the furnishing of electricity, natural gas, or domestic water for use or consumption by anyone, including any person or utility, engaged in the sale or resale of any such utility services in the regular course of business, in or for the direct production, generation, processing, storage, delivery or transmission of electricity, natural gas or domestic water, including but not limited to loss or waste of electricity, natural gas or domestic water thereby;

"(e) The furnishing of electricity to a manufacturer or compounder for use in an electrolytic or electrothermal manufacturing or compounding process;

"(f) the furnishing of natural gas to a manufacturer or compounder for consumption or use by such manufacturer or compounder as a chemical raw material in the manufacturing or compounding of tangible personal property, but not as fuel or energy;

"(g) the furnishing of natural gas to be used by a manufacturer or compounder to chemically convert raw materials prior to the use of such converted raw materials in an electrolytic or electrothermal manufacturing or compounding process;

"(h) the use or consumption of electricity by an incorporated municipality or a board or corporation organized under the authority of any incorporated municipality in furnishing or providing street lighting or traffic control systems, the use of consumption of telephone services by an incorporated municipality in providing fire alarm systems, and the use or consumption of domestic water by an incorporated municipality in extinguishing fires, explosions or conflagrations; and

"(i) the use or consumption of electricity by an incorporated municipality or a board or corporation organized under the authority of any incorporated municipality in and for delivery or transmission of water for use or consumption in industrial processes."

Section 3. In the event any section, sentence, clause, phrase, part or provision of this Act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses, phrases, parts or provisions of this Act, which shall continue effective.

Section 4. Effective date. This Act shall become effective on the first day of the second month following its enactment and approval by the Governor or its otherwise becoming law.

And the substitute was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Pruitt
Adams	Doss	Jones (F)	Reed (T)
Bank	Downing	King	Reynolds
Barkett	Easters	Kinsey	Roberts
Barron	Edwards	Lang	Robertson
Bassett	Ellis	Lutz	Smith (K)
Benton	Erdreich	McBride	Smith (P)
Boles	Fite	McCluskey	Snell
Boutwell	Flippo	McMillan	Stewart
Bowers	Gafford	Manley	Stubbs
Brassell	Goodwin	Mathews	Taylor
Callahan	Grainger	May	Therrell
Carnes	Gray (F)	Meeks	Turner
Carter	Grey (D)	Merrill	Waggoner
Casey	Harris	Mims	Waldrop
Chesnut	Headley	Naramore	Wallace
Connell	Hearn	Owens	Warren
Coshatt	Hill	Perloff	Williams
Cottingham	Hobbie	Porter	Wynot
Cross	Hughes		

—78

And the bill, H. 832 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Carnes	Downing	Grey (D)
Adams	Carter	Easters	Hale
Bank	Casey	Edwards	Harris
Barkett	Chesnut	Ellis	Hearn
Barron	Connell	Erdreich	Hill
Bassett	Coshatt	Falkenburg	Hobbie
Benton	Cottingham	Fite	Hughes
Boles	Crawford	Flippo	Jackson
Boutwell	Cross	Gafford	Jones (F)
Bowers	Crowe	Goodwin	King
Brassell	Culver	Grainger	Kinsey
Callahan	Doss	Gray (F)	Lang

Lutz	Mims	Reynolds	Turner
McBride	Namore	Roberts	Turnham
McCluskey	Nettles	Smith (K)	Waggoner
McMillan	Owens	Smith (P)	Waldrop
Manley	Perloff	Snell	Wallace
Mathews	Porter	Stewart	Warren
May	Pruitt	Stubbs	Williams
Meeks	Reed (T)	Taylor	Wynot
Merrill	Reid (R)	Therrell	

—83

And the bill:

H. 833. To further amend the title and Section 1 of Act No. 756, H. 733, enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to include, in connection with any industry for the manufacturing, processing or assembling of any agricultural or manufactured products, facilities for producing industrial water for use in connection with the operation of such industry.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 4.

Yeas:

Mr. Speaker	Crawford	Jackson	Pruitt
Adams	Cross	Jones (F)	Reed (T)
Agee	Culver	King	Reid (R)
Bank	Doss	Kinsey	Reynolds
Barkett	Downing	Lang	Robertson
Barron	Easters	Lutz	Smith (K)
Bassett	Edwards	McCluskey	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Taylor
Boutwell	Fite	Manley	Therrell
Bowers	Gafford	Mathews	Turner
Brassell	Goodwin	May	Turnham
Carnes	Grainger	Meeks	Waggoner
Carter	Gray (F)	Merrill	Waldrop
Casey	Hale	Mims	Wallace
Chesnut	Harris	Namore	Warren
Connell	Hearn	Owens	Williams
Coshatt	Hobbie	Perloff	Wynot
Cottingham	Hughes	Porter	

—75

Nays: Messrs. Burgess, McNair, Stewart and Stubbs.

—4

And the bill:

H. 1299. To provide for city elections on the question of legal sales and distribution of alcoholic beverages in dry counties.

Was taken up.

Mr. Flippo offered the following amendment #1 to the bill:

Amend Section 1 by striking "25 percent" and inserting therein 50%.

AMENDMENT TABLED

On motion of Mr. Culver, the amendment #1 offered by Mr. Flippo to the bill, H. 1299, was tabled.

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Yeas 37; Nays 23.

Yeas:

Mr. Speaker	Culver	Lang	Reynolds
Bank	Downing	Lutz	Roberts
Barkett	Erdreich	McBride	Robertson
Bassett	Falkenburg	McCluskey	Smith (K)
Benton	Gray (F)	McDonald	Stokes
Boles	Harris	Merrill	Therrell
Boutwell	Hill	Naramore	Waggoner
Carnes	Hobbie	Nettles	Wallace
Cauthen	Jones (F)	Perloff	Williams
Coshatt			—37

Nays:

Messrs.:	Crawford	Flippo	Owens
Barron	Cross	Hughes	Slate
Carter	Crowe	Jackson	Snell
Casey	Doss	McNair	Stewart
Chesnut	Easters	May	Turner
Cottingham	Edwards	Meeks	Turnham
			—23

Mr. Flippo offered the following amendment #2 to the bill, H. 1299:

Amend H. B. 1299 Section 4 by striking the phrase "Except as authorized by Section 23 of Title 29, Code 1940, or this Act,

AMENDMENT TABLED

On motion of Mr. Culver, the amendment #2 offered by Mr. Flippo to the bill, H. 1299, was tabled.

Yeas 47; Nays 23.

Yeas:

Mr. Speaker	Culver	Hobbie	Perloff
Bank	Downing	Jones (F)	Roberts
Barkett	Ellis	King	Robertson
Bassett	Erdreich	Kinsey	Smith (K)
Benton	Falkenburg	Lang	Stokes
Boles	Gafford	Lutz	Taylor
Boutwell	Gray (F)	McMillan	Therrell
Carnes	Hale	McNair	Waggoner
Cauthen	Hardin	Meeks	Waldrop
Coshatt	Harris	Naramore	Wallace
Cottingham	Hearn	Nettles	Wynot
Crowe	Hill	Parker	—47

Nays:

Messrs.:	Chesnut	Flippo	Reynolds
Agee	Crawford	Grey (D)	Slate
Barron	Cross	Hughes	Snell
Burgess	Doss	Mims	Stewart
Carter	Easters	Owens	Turnham
Casey	Edwards	Porter	Warren
			—23

Mr. Flippo offered the following amendment #3 to the bill, H. 1299:

Amend H. B. 1299 Section 1 in the last sentence by striking ". . . police jurisdiction of the Municipality" and inserting the words "City Limits."

AMENDMENT ADOPTED

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hill	Porter
Adams	Cross	Hobbie	Reed (T)
Agee	Crowe	Hughes	Reynolds
Bank	Culver	Jones (F)	Roberts
Barkett	Doss	King	Robertson
Barron	Downing	Kinsey	Slate
Bassett	Drake	Lutz	Smith (K)
Benton	Edwards	McBride	Snell
Boles	Ellis	McDonald	Stewart
Boutwell	Erdreich	McMillan	Stokes
Brassell	Falkenburg	McNair	Taylor
Callahan	Flippo	Manley	Therrell
Carnes	Gafford	May	Turner
Carter	Gray (F)	Mims	Turnham
Casey	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	Owens	Warren
Coshatt	Harris	Parker	Williams
Cottingham	Hearn	Perloff	Wynot

—76

Mr. Flippo offered the following amendment #4 to the bill, H. 1299 as amended:

Amend H. B. 1299 by adding Section 7 to read as follows:

This Act shall not apply to Lauderdale County.

AMENDMENT TABLED

On motion of Mr. Culver, the amendment #4 offered by Mr. Flippo to the bill, H. 1299 as amended, was tabled.

Yeas 41; Nays 26.

Yeas:

Messrs.:	Cottingham	Jones (F)	Parker
Bank	Culver	King	Perloff
Barkett	Downing	Lang	Roberts
Bassett	Erdreich	Lutz	Robertson
Benton	Gray (F)	McBride	Smith (K)
Boles	Hale	McMillan	Stokes
Boutwell	Hardin	McNair	Taylor
Brassell	Harris	Manley	Therrell
Callahan	Hearn	Naramore	Waggoner
Cauthen	Hill	Nettles	Wallace
Coshatt	Hobbie		

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Nays:

Messrs.:	Chesnut	Grey (D)	Slate
Agee	Crawford	Hughes	Snell
Barron	Cross	Jackson	Stewart
Burgess	Crowe	May	Turner
Carnes	Easters	Mims	Turnham
Carter	Edwards	Owens	Warren
Casey	Flippo	Reynolds	

—26

Mr. Carter offered the following amendment to the bill, H. 1299 as amended:

This Act shall not apply to Limestone, Lawrence, Cleburne and Randolph Counties.

AMENDMENT TABLED

On motion of Mr. Culver, the amendment offered by Mr. Carter to the bill, H. 1299 as amended, was tabled.

Yeas 49; Nays 30.

Yeas:

Messrs.:	Culver	Hughes	O'Daniel
Adwell	Downing	Jones (F)	Parker
Agee	Easters	Lutz	Perloff
Bank	Ellis	McBride	Reed (T)
Barkett	Erdreich	McCluskey	Roberts
Bassett	Falkenburg	McCorquodale	Robertson
Benton	Fite	McDonald	Smith (K)
Boutwell	Gray (F)	McMillan	Taylor
Callahan	Hale	McNair	Therrell
Cauthen	Harris	Meeks	Timmons
Coshatt	Hearn	Naramore	Waggoner
Cottingham	Hill	Nettles	Wood
Crowe	Hobbie		

—49

Nays:

Messrs.:	Chesnut	Jackson	Slate
Adams	Connell	Kinsey	Snell
Barron	Crawford	Lang	Stubbs
Bowers	Cross	Manley	Turner
Burgess	Doss	May	Turnham
Carnes	Edwards	Mims	Warren
Carter	Flippo	Owens	Wise
Casey	Headley	Porter	

—30

And the bill, H. 1299 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 47; Nays 46.

Yeas:

Mr. Speaker	Benton	Coshatt	Erdreich
Adwell	Boles	Crowe	Falkenburg
Bank	Boutwell	Culver	Gray (F)
Barkett	Callahan	Downing	Grey (D)
Bassett	Cauthen	Ellis	Hale

Harris	Lutz	Nettles	Taylor
Hearn	McBride	O'Daniel	Therrell
Hill	McMillan	Parker	Timmons
Hobbie	McNair	Perloff	Waggoner
Jones (F)	Manley	Roberts	Williams
King	Meeks	Smith (K)	Wood
Kinsey	Naramore	Stokes	

—47

Nays:

Messrs.:	Crawford	Lang	Slate
Adams	Cross	McCluskey	Smith (P)
Agee	Doss	McCorquodale	Snell
Barron	Drake	McDonald	Stewart
Bowers	Easters	May	Stubbs
Burgess	Edwards	Mims	Turner
Carnes	Fite	Owens	Turnham
Carter	Flippo	Porter	Waldrop
Casey	Hardin	Pruitt	Warren
Chesnut	Headley	Reed (T)	Wise
Connell	Hughes	Reid (R)	Wynot
Cottingham	Jackson	Reynolds	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. O'Bannon:

S. 622. To further identify creditable years of service under the State Employees' Retirement System.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 622. Ways and Means.

SPECIAL ORDER RESUMED

And the bill:

H. 1425. To amend Section 3 of Act No. 476, H. B. 627, Regular Session 1955 (Acts 1955, p. 1084), as amended, which section relates to the compensation of the deputy district attorney of the Twenty-third Judicial Circuit, so as to further regulate the compensation of said deputy district attorney.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Messrs.:	Adwell	Bank	Barron
Adams	Agee	Barkett	Benton

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Boles	Drake	Kinsey	Reid (R)
Boutwell	Easters	Lang	Roberts
Bowers	Edwards	Lutz	Robertson
Brassell	Ellis	McBride	Smith (K)
Burgess	Fite	McCluskey	Smith (P)
Callahan	Flippo	McMillan	Snell
Carnes	Gafford	McNair	Stewart
Carter	Goodwin	Manley	Stokes
Casey	Grainger	May	Stubbs
Cauthen	Gray (F)	Meeks	Taylor
Chesnut	Grey (D)	Merrill	Therrell
Connell	Hale	Mims	Turner
Coshatt	Harris	Naramore	Waldrop
Cottingham	Headley	Nettles	Wallace
Crawford	Hearn	Owens	Warren
Cross	Hill	Perloff	Williams
Crowe	Hughes	Porter	Wise
Culver	Jones (F)	Pruitt	Wood
Doss	King	Reed (T)	Wynot
Downing			

—84

And the bill:

H. 1404. To transfer certain historic property commonly referred to as "Constitution Park" and located in Huntsville, Madison County, Alabama, owned by the State of Alabama, or any department or entity thereof, to the Alabama Historical Commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Messrs.:	Crowe	Hobbie	Pruitt
Adams	Culver	Hughes	Reed (T)
Adwell	Doss	King	Reid (R)
Agee	Downing	Kinsey	Roberts
Bank	Drake	Lang	Robertson
Barkett	Easters	Lutz	Slate
Barron	Edwards	McBride	Smith (K)
Bassett	Ellis	McCluskey	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stewart
Boutwell	Flippo	Manley	Stokes
Bowers	Gafford	May	Stubbs
Brassell	Goodwin	Meeks	Taylor
Burgess	Grainger	Merrill	Therrell
Carnes	Gray (F)	Mims	Turner
Carter	Grey (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Warren
Connell	Harris	Owens	Williams
Coshatt	Headley	Parker	Wise
Cottingham	Hearn	Perloff	Wood
Crawford	Hill	Porter	Wynot

—87

UNANIMOUS CONSENT GRANTED

At the request of Mr. Hearn, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 1404.

And the bill:

H. 357. (With Amendment): To further amend Sections 4, 10 and 15 of Act 784, H. 316, (page 1069) Acts of Alabama 1953 Regular Session, as amended, which provides for the regulation of fresh water commercial fishing and prescribes penalties for violations of said Act.

The question was then on the adoption of the amendment reported by the Standing Committee on Conservation, said Committee amendment being as follows:

Amend House Bill 357 in Section 1 by deleting the figure "\$100" and substituting in lieu thereof the figure "\$25".

AMENDMENT TABLED

On motion of Mr. Grainger, the amendment offered by the Standing Committee on Conservation to the bill, H. 357, was tabled.

Yeas 66; Nays 4.

Yeas:

Messrs.:	Cross	Harris	Perloff
Adams	Culver	Headley	Porter
Agee	Downing	Hearn	Pruitt
Bank	Drake	Hill	Reynolds
Barron	Easters	Hobbie	Roberts
Bassett	Edwards	Jones (F)	Slate
Benton	Ellis	King	Smith (K)
Boutwell	Erdreich	Lang	Smith (P)
Bowers	Falkenburg	Lutz	Snell
Brassell	Fite	McCluskey	Stokes
Carnes	Flippo	McNair	Taylor
Carter	Gafford	Manley	Therrell
Chesnut	Goodwin	May	Wallace
Connell	Grainger	Mims	Warren
Coshatt	Gray (F)	Nettles	Wise
Cottingham	Grey (D)	O'Daniel	Wynot
Crawford	Hale	Owens	

—66

Nays: Messrs. Adwell, Barkett, McBride and Meeks.

—4

Mr. Grainger offered the following amendment to the bill:

Amend House Bill 357 in Section 1 by deleting the figure "\$100" and substituting in lieu thereof the figure "\$10.00."

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Messrs.:	Bowers	Cottingham	Edwards
Adams	Brassell	Crawford	Ellis
Agee	Callahan	Cross	Erdreich
Bank	Carnes	Crowe	Falkenburg
Barron	Carter	Culver	Fite
Bassett	Chesnut	Downing	Flippo
Benton	Connell	Drake	Gafford
Boutwell	Coshatt	Easters	Goodwin

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Grainger	Lang	O'Daniel	Snell
Grey (D)	Lutz	Owens	Stokes
Hale	McBride	Perloff	Taylor
Hardin	McCluskey	Porter	Therrell
Harris	McMillan	Pruitt	Turner
Headley	McNair	Reid (R)	Wallace
Hearn	Manley	Reynolds	Warren
Hobbie	May	Roberts	Williams
Jones (F)	Meeks	Slate	Wise
King	Mims	Smith (K)	Wynot
Kinsey	Nettles	Smith (P)	

—74

And the bill, H. 357 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Messrs.:	Crawford	Harris	Porter
Adams	Cross	Hearn	Pruitt
Agee	Culver	Hill	Reed (T)
Bank	Doss	Hobbie	Reynolds
Barkett	Downing	Jones (F)	Roberts
Barron	Drake	King	Slate
Bassett	Easters	Kinsey	Smith (K)
Benton	Edwards	Lutz	Smith (P)
Boutwell	Ellis	McBride	Snell
Bowers	Erdreich	McCluskey	Stokes
Brassell	Falkenburg	McMillan	Taylor
Burgess	Fite	McNair	Therrell
Callahan	Flippo	Manley	Turner
Carnes	Gafford	Mathews	Waggoner
Carter	Goodwin	May	Wallace
Cauthen	Grainger	Meeks	Warren
Chesnut	Gray (F)	Mims	Williams
Connell	Grey (D)	Nettles	Wise
Coshatt	Hale	O'Daniel	Wynot
Cottingham	Hardin	Owens	

—78

And the bill:

H. 3. To amend Section 1 of Act No. 2128, S. 5, 1971 Regular Session approved September 20, 1971, entitled "To provide sales and use tax exemptions for certain medicines purchased by prescription," so as to extend the tax exemption to persons who are retired due to permanent and total disability, regardless of age, and to give the Commissioner of the State Department of Revenue certain duties and powers in connection therewith.

Was taken up.

Mr. Gafford offered the following amendment to the bill:

Amend Section 1 by adding the words, "and dentists" after the word, "physicians" in line 2 thereof.

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Messrs.:	Barron	Boutwell	Callahan
Agee	Bassett	Bowers	Carnes
Bank	Benton	Burgess	Carter

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Cauthen	Gray (F)	McMillan	Slate
Chesnut	Grey (D)	McNair	Smith (K)
Connell	Hale	Manley	Smith (P)
Cottingham	Hardin	Mathews	Snell
Crawford	Harris	May	Stokes
Cross	Headley	Meeks	Stubbs
Culver	Hearn	Mims	Taylor
Downing	Hill	Nettles	Therrell
Drake	Hobbie	O'Daniel	Turner
Edwards	Jones (F)	Owens	Waggoner
Ellis	King	Porter	Wallace
Falkenburg	Kinsey	Pruitt	Warren
Fite	Lutz	Reed (T)	Williams
Flippo	McBride	Reynolds	Wise
Goodwin	McCluskey	Roberts	Wynot
Grainger			

—72

And the bill, H. 3 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Messrs.:	Culver	Jackson	Pruitt
Adams	Downing	Jones (F)	Reed (T)
Adwell	Drake	King	Reynolds
Agee	Easters	Kinsey	Roberts
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Erdreich	McCluskey	Smith (P)
Bassett	Falkenburg	McCorquodale	Snell
Benton	Fite	McMillan	Stewart
Boutwell	Flippo	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Brassell	Grainger	Mathews	Taylor
Burgess	Gray (F)	May	Therrell
Callahan	Grey (D)	Meeks	Timmons
Carnes	Hale	Merrill	Turner
Carter	Hardin	Mims	Waggoner
Chesnut	Harris	Nettles	Wallace
Connell	Headley	O'Daniel	Warren
Coshatt	Hearn	Owens	Williams
Cottingham	Hill	Perloff	Wise
Crawford	Hobbie	Porter	Wynot
Cross			

—84

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all members voting "Yea" on the bill, H. 3, to have their names added as co-sponsors.

And the bill:

H. 4. To amend the Code of Alabama 1940, Title 51, Section 15, as amended, relating to the exemption of homesteads from State ad valorem taxes, so as to provide additional exemptions for persons who are retired due to permanent and total disability, regardless of age, and to give the State Commissioner of Revenue certain powers and duties in connection therewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 85; Nays 0.

Yeas:

Messrs.:	Culver	King	Reid (R)
Adams	Downing	Kinsey	Reynolds
Agee	Drake	Lang	Roberts
Bank	Easters	Lutz	Slate
Barkett	Edwards	McBride	Smith (K)
Barron	Ellis	McCluskey	Smith (P)
Bassett	Erdreich	McCorquodale	Snell
Benton	Falkenburg	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Goodwin	May	Taylor
Burgess	Grainger	Meeks	Therrell
Callahan	Gray (F)	Merrill	Timmons
Carnes	Grey (D)	Mims	Turner
Carter	Hale	Nettles	Waggoner
Cauthen	Hardin	O'Daniel	Waldrop
Chesnut	Headley	Owens	Wallace
Connell	Hearn	Perloff	Warren
Coshatt	Hill	Porter	Williams
Cottingham	Hobbie	Pruitt	Wise
Crawford	Hughes	Reed (T)	Wynot
Cross	Jones (F)		

—85

And the bill:

H. 1037. To provide for the licensing and regulation of certified social workers and social workers; to establish and define the duties and powers of the State Board of Social Work Examiners; to make violation of this Act a misdemeanor, and prescribe a penalty therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 2.

Yeas:

Messrs.:	Crawford	Headley	Porter
Adams	Cross	Hearn	Reed (T)
Agee	Culver	Hobbie	Reynolds
Bank	Downing	Hughes	Roberts
Barkett	Drake	Jones (F)	Smith (K)
Barron	Easters	King	Snell
Bassett	Edwards	Kinsey	Stewart
Benton	Ellis	Lang	Stubbs
Boutwell	Erdreich	Lutz	Taylor
Bowers	Falkenburg	McBride	Therrell
Brassell	Fite	McMillan	Turner
Burgess	Gafford	McNair	Waggoner
Callahan	Goodwin	May	Wallace
Carnes	Grainger	Meeks	Warren
Carter	Gray (F)	Merrill	Williams
Cauthen	Grey (D)	Mims	Wise
Chesnut	Hale	O'Daniel	Wood
Connell	Hardin	Owens	Wynot
Coshatt	Harris	Perloff	
Cottingham			

—76

Nays: Messrs. Nettles and Stokes.

—2

And the bill:

H. 213. (With Amendment): To amend Title 52, Section 166, of the Code of Alabama of 1940; to provide that the city board of education shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the state superintendent of education.

Was taken up.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Turner, the rules were suspended in order to bring up out of order the bills, S. 137 and S. 138.

Yeas 60; Nays 7.

Yeas:

Messrs.:	Culver	Lutz	Slate
Agee	Doss	McBride	Smith (P)
Bank	Downing	McCluskey	Snell
Barron	Edwards	Manley	Stewart
Bassett	Ellis	May	Stokes
Benton	Goodwin	Meeks	Stubbs
Boutwell	Grainger	Merrill	Taylor
Bowers	Grey (D)	O'Daniel	Therrell
Carnes	Hardin	Parker	Turner
Carter	Harris	Porter	Waggoner
Casey	Hobbie	Pruitt	Wallace
Cauthen	Hughes	Reed (T)	Warren
Chesnut	Jones (F)	Reid (R)	Williams
Connell	King	Reynolds	Wise
Cottingham	Kinsey	Roberts	Wynot
Crawford			

—60

Nays:

Messrs.:	Drake	Gray (F)	Smith (K)
Adams	Easters	McDonald	Timmons

—7

And the bill:

S. 137. To amend Title 52, Section 166 of the Code of Alabama of 1940; to provide that the city board of education shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the state superintendent of education.

Was taken up.

Mr. McBride offered the following amendment to the bill:

Amend S. B. 137 by adding the following language after the word "employees" in line 10, Section 1:

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"and in addition shall also consult with professional assistants, principals, teachers, and interested citizens."

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Messrs.:	Crawford	Hughes	Pruitt
Adams	Cross	Jones (F)	Reed (T)
Agee	Culver	King	Reynolds
Bank	Doss	Kinsey	Roberts
Barkett	Downing	Lutz	Smith (K)
Barron	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Goodwin	Manley	Taylor
Callahan	Grainger	May	Therrell
Carnes	Gray (F)	Meeks	Turner
Carter	Grey (D)	Merrill	Waggoner
Casey	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Connell	Headley	Owens	Wise
Coshatt	Hearn	Porter	Wynot
Cottingham	Hobbie		

—73

And the bill, S. 137 as thus amended, was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Messrs.:	Crawford	Hughes	Pruitt
Adams	Cross	Jones (F)	Reed (T)
Agee	Culver	King	Reynolds
Bank	Downing	Kinsey	Roberts
Barkett	Drake	Lutz	Smith (K)
Barron	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Stewart
Benton	Erdreich	McDonald	Stokes
Boutwell	Falkenburg	McMillan	Stubbs
Bowers	Fite	McNair	Taylor
Brassell	Goodwin	Manley	Therrell
Carnes	Grainger	May	Turner
Carter	Grey (D)	Meeks	Waggoner
Casey	Hardin	Merrill	Wallace
Chesnut	Harris	Nettles	Warren
Connell	Headley	O'Daniel	Williams
Coshatt	Hearn	Owens	Wise
Cottingham	Hobbie	Porter	Wynot

—71

And the bill:

S. 138. To amend Title 52, Section 73 of the Code of Alabama of 1940; to provide that the county board of education shall adopt written policies with regard to education and to provide that such written policies shall be made available to all employees of the board.

Was taken up.

Mr. McBride offered the following amendment to the bill:

Amend S. B. 138 by adding the following language after the word "employees" in line 9, Section 1:

"and in addition shall also consult with professional assistants, principals, teachers, and interested citizens."

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Messrs.:	Cross	Jones (F)	Porter
Adams	Culver	King	Pruitt
Agee	Doss	Kinsey	Reed (T)
Bank	Downing	Lutz	Reynolds
Barkett	Drake	McBride	Roberts
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stokes
Brassell	Goodwin	Manley	Stubbs
Callahan	Grainger	May	Taylor
Carnes	Gray (F)	Meeks	Therrell
Carter	Grey (D)	Merrill	Waggoner
Casey	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Connell	Headley	Owens	Williams
Coshatt	Hearn	Parker	Wise
Cottingham	Hobbie	Perloff	Wynot
Crawford	Hughes		

—77

And the bill, S. 138 as thus amended, was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Messrs.:	Culver	King	Reed (T)
Adams	Doss	Kinsey	Reynolds
Agee	Downing	Lutz	Roberts
Bank	Drake	McBride	Slate
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stewart
Bowers	Fite	McNair	Stokes
Brassell	Gafford	Manley	Stubbs
Carnes	Goodwin	May	Taylor
Carter	Grainger	Meeks	Therrell
Casey	Grey (D)	Merrill	Turner
Cauthen	Hardin	Nettles	Waggoner
Chesnut	Harris	O'Daniel	Wallace
Collins	Headley	Owens	Warren
Connell	Hearn	Parker	Williams
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Porter	Wood
Crawford	Jones (F)	Pruitt	Wynot
Cross			

—80

BILLS INDEFINITELY POSTPONED

On motion of Mr. Turner, the bills, H. 213 and H. 214, were indefinitely postponed.

SPECIAL ORDER RESUMED

And the bill:

H. 632. To appropriate the sum of \$30,000 for each of the fiscal years ending September 30, 1974 and September 30, 1975 out of the State General Fund to the Geological Survey of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Messrs.:	Culver	King	Reed (T)
Adams	Doss	Kinsey	Reid (R)
Agee	Downing	Lutz	Reynolds
Bank	Drake	McBride	Slate
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	Manley	Stubbs
Brassell	Flippo	May	Taylor
Callahan	Gafford	Meeks	Therrell
Carnes	Goodwin	Merrill	Turner
Carter	Grainger	Mims	Turnham
Casey	Gray (F)	Nettles	Waggoner
Cauthen	Grey (D)	O'Daniel	Wallace
Chesnut	Hardin	Owens	Warren
Connell	Harris	Parker	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Pruitt	Wynot
Cross	Hughes		

—81

And the bill:

H. 622. To provide that all retirement income or disability pay received by any retired military personnel shall be exempt from all state, county or city income taxes or like taxes.

Was taken up.

Mr. Merrill offered the following amendment to the bill:

Section 1 of House Bill 622 is hereby amended to read as follows:

"Section 1. All military retirement or disability pay received by any person retired from the military services of the United States of America is hereby exempted from state, county and municipal income tax or like tax by whatever name called."

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Messrs.:	Cross	Hill	Reid (R)
Adams	Culver	Hughes	Reynolds
Bank	Doss	Jones (F)	Roberts
Barron	Downing	King	Slate
Bassett	Drake	Kinsey	Smith (K)
Benton	Edwards	Lutz	Smith (P)
Boutwell	Ellis	McCluskey	Snell
Bowers	Erdreich	McCorquodale	Stewart
Brassell	Falkenburg	McMillan	Stubbs
Burgess	Fite	Manley	Taylor
Callahan	Flippo	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Mims	Waggoner
Cauthen	Gray (F)	Nettles	Warren
Chesnut	Grey (D)	O'Daniel	Williams
Connell	Hardin	Owens	Wise
Coshatt	Harris	Parker	Wood
Cottingham	Headley	Porter	Wynot
Crawford	Hearn	Pruitt	

—78

And the bill, H. 622 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 5.

Yeas:

Messrs.:	Cross	King	Reid (R)
Adams	Downing	Kinsey	Reynolds
Bank	Drake	Lang	Roberts
Barkett	Edwards	Lutz	Smith (K)
Barron	Ellis	McBride	Smith (P)
Bassett	Erdreich	McCluskey	Snell
Benton	Fite	McCorquodale	Stewart
Boutwell	Flippo	McDonald	Stubbs
Bowers	Gafford	McMillan	Taylor
Brassell	Goodwin	Manley	Therrell
Burgess	Grainger	May	Turner
Callahan	Gray (F)	Merrill	Turnham
Carnes	Hardin	Mims	Waggoner
Carter	Harris	Naramore	Wallace
Casey	Headley	Nettles	Warren
Chesnut	Hearn	O'Daniel	Williams
Collins	Hill	Owens	Wise
Connell	Hughes	Parker	Wood
Coshatt	Jackson	Porter	Wynot
Cottingham	Jones (F)	Pruitt	

—78

Nays:

Messrs.:	Crawford	Grey (D)	Stokes
Cauthen	Culver		

—5

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted all members voting "Yea" on the bill, H. 622, to have their names added as co-sponsors.

And the bill:

H. 672. (With Amendments): Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; to provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this state shall cover and include the services performed by podiatrists under this act; amending Section 1, 8, 10, 11, 15 and 17 of Act. No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Health, said Committee amendment being as follows:

On page 1, strike out Section 1 in its entirety and renumber the remaining Sections of the bill.

And the amendment was adopted.

Yeas 75; Nays 3.

Yeas:

Messrs.:	Culver	King	Reed (T)
Adams	Downing	Kinsey	Reid (R)
Adwell	Drake	Lutz	Reynolds
Agee	Edwards	McBride	Roberts
Bank	Ellis	McCluskey	Slate
Bassett	Erdreich	McCorquodale	Smith (K)
Benton	Fite	McDonald	Snell
Boutwell	Flippo	Manley	Stewart
Bowers	Goodwin	May	Stubbs
Brassell	Grainger	Meeks	Taylor
Callahan	Gray (F)	Merrill	Therrell
Carnes	Grey (D)	Mims	Turnham
Carter	Hardin	Naramore	Waggoner
Casey	Harris	Nettles	Wallace
Chesnut	Headley	O'Daniel	Warren
Collins	Hearn	Owens	Williams
Coshatt	Hughes	Perloff	Wise
Cottingham	Jackson	Porter	Wood
Cross	Jones (F)	Pruitt	Wynot

—75

Nays: Messrs. Cauthen, Gafford and McMillan.

—3

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Health, said Committee amendment being as follows:

On pages 3 and 4, strike out Section 6 in its entirety and renumber the remaining Sections of the bill.

And the amendment was adopted.

Yeas 76; Nays 2.

Yeas:

Messrs.:	Culver	King	Reid (R)
Adams	Doss	Kinsey	Reynolds
Agee	Downing	Lang	Roberts
Bank	Drake	Lutz	Slate
Bassett	Edwards	McBride	Smith (K)
Benton	Ellis	Manley	Snell
Boutwell	Erdreich	May	Stewart
Bowers	Fite	Meeks	Stubbs
Brassell	Goodwin	Merrill	Taylor
Callahan	Grainger	Mims	Therrell
Carnes	Gray (F)	Naramore	Turner
Carter	Grey (D)	Nettles	Turnham
Casey	Hardin	O'Daniel	Waggoner
Cauthen	Harris	Owens	Wallace
Chesnut	Headley	Parker	Warren
Collins	Hearn	Perloff	Williams
Connell	Hughes	Porter	Wise
Coshatt	Jackson	Pruitt	Wood
Cottingham	Jones (F)	Reed (T)	Wynot
Cross			

—76

Nays: Messrs. Gafford and McMillan.

—2

The question was then on the adoption of the amendment #3 reported by the Standing Committee on Health, said Committee amendment being as follows:

"Any contracts of health insurance or hospital insurance issued in this state may provide for coverage for services performed as described in this Act."

AMENDMENT TABLED

On motion of Mr. Agee, the amendment #3 reported by the Standing Committee on Health was tabled.

Yeas 53; Nays 15.

Yeas:

Messrs.:	Crawford	McCorquodale	Robertson
Adams	Cross	McDonald	Smith (K)
Agee	Downing	May	Snell
Benton	Drake	Meeks	Stewart
Boutwell	Easters	Merrill	Stubbs
Bowers	Ellis	Mims	Therrell
Brassell	Fite	Naramore	Turnham
Callahan	Flippo	O'Daniel	Wallace
Carnes	Gray (F)	Owens	Warren
Carter	Headley	Perloff	Williams
Casey	Hughes	Reed (T)	Wise
Collins	Jackson	Reid (R)	Wood
Connell	Kinsey	Roberts	Wynot
Coshatt	Lutz		

—53

Nays:

Messrs.:	Falkenburg	Hill	McMillan
Cauthen	Gafford	King	McNair
Doss	Grainger	Lang	Nettles
Erdreich	Grey (D)	McCluskey	Slate

—15

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And the bill, H. 672 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 8.

Yeas:

Messrs.:	Downing	Lutz	Roberts
Adams	Drake	McCorquodale	Robertson
Agee	Easters	McDonald	Slate
Barkett	Ellis	McMillan	Smith (K)
Benton	Erdreich	McNair	Snell
Boutwell	Fite	Manley	Stewart
Bowers	Flippo	May	Stubbs
Brassell	Grainger	Meeks	Taylor
Callahan	Gray (F)	Merrill	Therrell
Carnes	Grey (D)	Mims	Turnham
Carter	Harris	Naramore	Waggoner
Casey	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hobbie	Perloff	Williams
Connell	Hughes	Porter	Wise
Coshatt	Jackson	Fruitt	Wood
Crawford	Jones (F)	Reed (T)	Wynot
Cross	Kinsey	Reid (R)	

—70

Nays:

Messrs.:	Falkenburg	Hill	Lang
Cauthen	Gafford	King	Nettles
Doss			

—8

And the bill:

H. 1319. To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to redefine the term "all property of utilities" and thereby except therefrom the property of utilities" and thereby except therefrom the property of railroads, freight lines and equipment companies engaged in the business of leasing railroad equipment, and so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

Was taken up.

Mr. Casey offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To amend further Code of Alabama 1940, Title 51 Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to redefine the term "all property of utilities" and thereby except therefrom the property of railroads, freight lines and equipment companies engaged in the business of leasing railroad equipment, and so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 51, Section 17, as amended, is hereby further amended to read as follows:

"Section 17. 1. With respect to ad valorem taxes levied by the state, and, unless otherwise provided with respect to ad valorem taxes levied by a county, municipality or other taxing authority other than the State all taxable property shall be divided into the following classes and no other and shall be assessed for ad valorem tax purposes at the following ratios of assessed value to the fair and reasonable market value of such property:

"CLASS I. All property of utilities used in the business of such utilities, 30%.

"CLASS II. All property not otherwise classified, 25%.

"CLASS III. All agricultural, forest and residential property, 15%.

"2. As used herein:

"(a) 'all property of utilities' shall include all property assessed for taxation by the Department of Revenue pursuant to the provisions of Chapter 11, Title 51, Code of Alabama 1940, as amended, except the property of railroads, freight lines and equipment companies engaged in the business of leasing railroad equipment;

"(b) 'all residential property' shall include only real property used exclusively as a single-family dwelling by the owner thereof;

"(c) 'agricultural' and 'forest' property shall include all real property used for raising, harvesting and selling crops or for the feeding, breeding, management, raising, sale of, or the produce of livestock to include beef cattle, sheep, swine, horses, ponies, mules, poultry, fur bearing animals, honeybees, and fish, or for dairying and the sale of dairy products or for the growing and sale of timber and forest products, or any other agricultural or horticultural use or animal husbandry or any combination thereof

"(d) 'all property not otherwise classified' shall include all real and personal property which does not fall within one or both Classes I or III.

"3. Wherever any statute provides for, limits or measures the power or authority of any county, municipality or other taxing authority to levy taxes, borrow money, or incur indebtedness in relation to the assessment of property therein for state taxes or for state and county taxes, such provision shall mean as assessed for county or municipal taxes. Provided, however, that should said amendment not be ratified and adopted all taxable property within the state shall be assessed at thirty percent of its fair and reasonable market value; in such event this act shall become effective thirty days after the date that the Secretary of State certified that said amendment has not been ratified.

"4. The following property shall be exempted from ad valorem taxation: the real and personal property of the state, counties and municipalities and real and personal property devoted exclusively to religious, educational or charitable purposes, also the property of Masonic Lodges, Knights of Columbus Homes, and Union Halls shall be exempt when used exclusively for the purpose and business of such organizations. All property now exempt by law shall continue to be exempt from taxation until changed by law.

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"5. In the following designated counties taxable property shall be assessed at the ratio of assessed value to fair and reasonable market value for each class of property at the rate indicated:

County	Class I	Class II	Class III
Morgan	30%	20%	20%
Limestone	30%	20%	15%
Etowah	30%	20%	15%
Clay	30%	20%	15%
Cleburne	30%	20%	15%
Baldwin	30%	15%	15%
Barbour	30%	15%	15%
Coffee	30%	15%	15%
Bullock	30%	15%	15%
Hale	30%	15%	15%
Wilcox	30%	15%	15%
Monroe	30%	15%	15%
Randolph	30%	15%	15%
Perry	30%	15%	15%
Bibb	30%	15%	15%
Houston	30%	15%	15%
Dale	30%	15%	15%
Henry	30%	15%	15%
Jefferson	30%	25%	20%
Calhoun	30%	25%	15%

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 70; Nays 1.

Yeas:

Messrs.:	Doss	Hughes	Reed (T)
Adams	Downing	Jackson	Reynolds
Barkett	Drake	Jones (F)	Roberts
Bassett	Easters	King	Slate
Benton	Edwards	Kinsey	Smith (K)
Boutwell	Erdreich	Lutz	Snell
Bowers	Falkenburg	McCluskey	Stewart
Brassell	Fite	McDonald	Stokes
Callahan	Flippo	McMillan	Taylor
Carnes	Gafford	McNair	Therrell
Carter	Goodwin	Manley	Turnham
Casey	Grainger	May	Waggoner
Cauthen	Hale	Meeks	Wallace
Collins	Hardin	Merrill	Warren
Connell	Harris	Mims	Williams
Cottingham	Headley	Naramore	Wise
Crawford	Hill	Owens	Wynot
Cross	Hobbie	Pruitt	

—70

Nay: Mr. Stubbs.

—1

Mr. Stubbs offered the following amendment to the bill, H. 1319 as amended:

Amend H. B. 1319 Section 1 by deleting the words "except the property of railroads".

AMENDMENT TABLED

On motion of Mr. Casey, the amendment offered by Mr. Stubbs to the bill, H. 1319 as amended, was tabled.

Yeas 46; Nays 23.

Yeas:

Messrs.:	Cottingham	Jones (F)	Porter
Adams	Crawford	Lutz	Pruitt
Bank	Cross	McCluskey	Slate
Barkett	Crowe	McDonald	Snell
Boutwell	Culver	McNair	Taylor
Bowers	Easters	Manley	Therrell
Brassell	Edwards	May	Timmons
Carnes	Fite	Meeks	Turner
Carter	Grainger	Merrill	Turnham
Casey	Hale	Mims	Waggoner
Chesnut	Harris	Naramore	Warren
Connell	Hill	Parker	

—46

Nays:

Messrs.:	Downing	Hughes	Perloff
Agee	Erdreich	Lang	Reynolds
Bassett	Falkenburg	McBride	Stewart
Callahan	Gray (F)	McCorquodale	Stokes
Cauthen	Hardin	Nettles	Wood
Doss	Hearn	Owens	Wynot

—23

MOTION TO POSTPONE TABLED

On motion of Mr. Casey, the motion offered by Mr. Stubbs to postpone the bill, H. 1319 as amended, to the thirty-fourth legislative day, was tabled.

Yeas 43; Nays 27.

Yeas:

Mr. Speaker	Chesnut	Hale	Parker
Adams	Connell	Headley	Porter
Bank	Cottingham	Lutz	Pruitt
Barkett	Crawford	McCluskey	Snell
Barron	Cross	McDonald	Taylor
Boutwell	Crowe	Manley	Turner
Brassell	Drake	May	Warren
Burgess	Easters	Meeks	Williams
Carnes	Ellis	Merrill	Wise
Carter	Fite	Mims	Wynot
Casey	Grainger	Naramore	

—43

Nays:

Messrs.:	Benton	Erdreich	Grey (D)
Agee	Callahan	Falkenburg	Hardin
Bassett	Downing	Goodwin	Hearn

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Hill	McBride	Reid (R)	Stokes
Hughes	McCorquodale	Reynolds	Stubbs
Jackson	Nettles	Smith (K)	Waggoner
Lang	Owens	Stewart	Wood

—27

MOTION TO POSTPONE TABLED

On motion of Mr. Casey, the motion offered by Mr. Stewart to postpone the bill, H. 1319 as amended, to the thirty-second legislative day, was tabled.

Yeas 38; Nays 32.

Yeas:

Mr. Speaker	Casey	Grainger	Parker
Adams	Chesnut	Headley	Porter
Barkett	Connell	Hearn	Pruitt
Barron	Cottingham	Hobbie	Snell
Boutwell	Cross	Lutz	Taylor
Bowers	Crowe	McCluskey	Turner
Brassell	Drake	McDonald	Williams
Burgess	Easters	Manley	Wise
Carnes	Ellis	Naramore	Wynot
Carter	Flippo		

—38

Nays:

Messrs.:	Downing	Lang	Slate
Agee	Erdreich	McCorquodale	Smith (K)
Bank	Goodwin	May	Stewart
Bassett	Hale	Nettles	Stokes
Benton	Hardin	Owens	Stubbs
Callahan	Hughes	Perloff	Therrell
Crawford	Jackson	Reynolds	Wallace
Culver	Kinsey	Roberts	Wood
Doss			

—32

MOTION TO TEMPORARILY POSTPONE TABLED

On motion of Mr. Casey, the motion offered by Mr. Stewart to temporarily postpone the bill, H. 1319 as amended, was tabled.

Yeas 41; Nays 34.

Yeas:

Mr. Speaker	Casey	Grainger	Naramore
Adams	Chesnut	Headley	O'Daniel
Bank	Connell	Hobbie	Parker
Barkett	Cottingham	Jones (F)	Porter
Barron	Cross	Lutz	Pruitt
Boutwell	Crowe	McCluskey	Slate
Bowers	Culver	McDonald	Snell
Brassell	Drake	Manley	Taylor
Burgess	Easters	Mathews	Turner
Carnes	Ellis	Merrill	Williams
Carter			

—41

Nays:

Messrs.:	Benton	Doss	Erdreich
Agee	Callahan	Downing	Flippo
Bassett	Crawford	Edwards	Goodwin

Hale	Kinsey	Perloff	Therrell
Hardin	Lang	Reynolds	Timmons
Hearn	McCorquodale	Smith (K)	Wallace
Hill	McMillan	Stewart	Wise
Hughes	May	Stokes	Wood
Jackson	Nettles	Stubbs	

—34

MOTION TO POSTPONE TABLED

On motion of Mr. Casey, the motion offered by Mr. Stubbs to postpone the bill, H. 1319 as amended, for one hour, was tabled.

Yeas 42; Nays 40.

Yeas:

Mr. Speaker	Cauthen	Headley	Naramore
Adams	Chesnut	Hobbie	Parker
Bank	Connell	Jones (F)	Porter
Barkett	Cottingham	Lutz	Pruitt
Barron	Cross	McCluskey	Slate
Boutwell	Crowe	McDonald	Snell
Bowers	Culver	Manley	Taylor
Brassell	Drake	Mathews	Turner
Carnes	Easters	Merrill	Warren
Carter	Fite	Mims	Williams
Casey	Grainger		

—42

Nays:

Messrs.:	Erdreich	Kinsey	Roberts
Agee	Falkenburg	Lang	Smith (K)
Bassett	Flippo	McBride	Stewart
Benton	Goodwin	McCorquodale	Stokes
Boles	Hale	McNair	Stubbs
Callahan	Hardin	May	Therrell
Coshatt	Harris	Nettles	Timmons
Crawford	Hearn	Owens	Waggoner
Doss	Hill	Perloff	Wallace
Downing	Jackson	Reynolds	Wood
Ellis			

—40

Mr. Reynolds offered the following amendment to the bill, H. 1319 as amended:

Add to the end of Section 1 the following:

"Provided, however, this bill shall not apply to Colbert and Franklin Counties."

AMENDMENT TABLED

On motion of Mr. Pruitt, the amendment offered by Mr. Reynolds to the bill, H. 1319 as amended, was tabled.

Yeas 41; Nays 28.

Yeas:

Messrs.:	Barron	Burgess	Chesnut
Adams	Boutwell	Carnes	Connell
Bank	Bowers	Casey	Coshatt
Barkett	Brassell	Cauthen	Cottingham

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Crawford	Hill	Manley	Pruitt
Crowe	Hobbie	Mathews	Snell
Culver	Hughes	Merrill	Taylor
Ellis	Jones (F)	Naramore	Turner
Gafford	King	Parker	Waggoner
Grainger	Lutz	Porter	Wise
Hale	McCluskey		

—41

Nays:

Messrs.:	Goodwin	McBride	Smith (K)
Agee	Hardin	McCorquodale	Stewart
Bassett	Harris	May	Stokes
Benton	Hearn	Nettles	Stubbs
Doss	Jackson	Owens	Therrell
Downing	Kinsey	Perloff	Wood
Falkenburg	Lang	Reynolds	Wynot
Fite			

—28

Mr. Stokes offered the following amendment to the bill, H. 1319 as amended:

Add at the end of Section 1, thereof, the following language:

Provided however that this Act shall not apply in Counties of population of not less than 300,000 and not more than 500,000.

AMENDMENT TABLED

On motion of Mr. Pruitt, the amendment offered by Mr. Stokes to the bill, H. 1319 as amended, was tabled.

Yeas 41; Nays 24.

Yeas:

Messrs.:	Chesnut	Flippo	Naramore
Adams	Connell	Grainger	Parker
Bank	Coshatt	Hale	Porter
Barkett	Cottingham	Headley	Reid (R)
Barron	Cross	Hill	Slate
Boutwell	Crowe	Hobbie	Smith (K)
Bowers	Culver	King	Snell
Brassell	Drake	Lutz	Timmons
Carnes	Easters	McCluskey	Turner
Carter	Ellis	Merrill	Turnham
Casey	Fite		

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Nays:

Messrs.:	Downing	Hughes	McNair
Agee	Erdreich	Jackson	Nettles
Bassett	Goodwin	Kinsey	Owens
Benton	Gray (F)	Lang	Reynolds
Callahan	Hardin	McBride	Therrell
Cauthen	Hearn	McCorquodale	Wise
Doss			

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UNANIMOUS CONSENT GRANTED

At the request of Mr. McCorquodale, unanimous consent was granted for his name to be removed as co-sponsor to the bill, H. 1319.

At the request of Mr. Headley, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 1319.

MOTION TO POSTPONE TABLED

On motion of Mr. Pruitt, the motion offered by Mr. Stewart to postpone the bill, H. 1319 as amended, for thirty minutes, was tabled.

MOTION TO RE-REFER TABLED

On motion of Mr. Pruitt, the motion offered by Mr. Stokes to re-refer the bill, H. 1319 as amended, was tabled.

Yeas 49; Nays 21.

Yeas:

Mr. Speaker	Connell	Grainger	O'Daniel
Adams	Coshatt	Hale	Parker
Bank	Cottingham	Headley	Porter
Barkett	Crawford	Hobbie	Pruitt
Barron	Cross	King	Reid (R)
Benton	Culver	Lutz	Slate
Boutwell	Drake	McNair	Snell
Bowers	Easters	Manley	Timmons
Brassell	Ellis	Mathews	Turner
Carnes	Fite	Merrill	Turnham
Carter	Flippo	Mims	Warren
Casey	Gafford	Naramore	Williams
Chesnut			

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Nays:

Messrs.:	Hardin	McCorquodale	Reynolds
Agee	Hearn	May	Smith (K)
Bassett	Hughes	Nettles	Stubbs
Doss	Jackson	Owens	Therrell
Downing	Lang	Perloff	Wood
Goodwin	McBride		

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MOTION TO POSTPONE TABLED

On motion of Mr. Pruitt, the motion offered by Mr. Stewart to postpone the bill, H. 1319 as amended, for twenty-five minutes, was tabled.

Yeas 49; Nays 31.

Yeas:

Mr. Speaker	Coshatt	Hale	Naramore
Adams	Cottingham	Headley	Parker
Bank	Crawford	Hobbie	Perloff
Barkett	Cross	King	Porter
Barron	Crowe	Lutz	Pruitt
Boutwell	Culver	McCluskey	Reid (R)
Bowers	Drake	McDonald	Slate
Brassell	Easters	McNair	Snell
Carnes	Ellis	Manley	Timmons
Carter	Fite	Mathews	Turner
Casey	Gafford	Meeks	Turnham
Chesnut	Grainger	Merrill	Williams
Connell			

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Nays:

Messrs.:	Falkenburg	McBride	Smith (K)
Agee	Flippo	McCorquodale	Stewart
Bassett	Goodwin	McMillan	Stokes
Benton	Hardin	May	Therrell
Callahan	Hill	Nettles	Waggoner
Doss	Jackson	Owens	Wise
Downing	Kinsey	Reynolds	Wood
Erdreich	Lang	Roberts	Wynot

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MOTION TO ADJOURN LOST

The motion offered by Mr. Wood that the House adjourn until 12:00 o'clock noon, Thursday, August 23, 1973, was lost.

Yeas 28; Nays 53.

Yeas:

Messrs.:	Fite	McCorquodale	Smith (K)
Bassett	Goodwin	Mathews	Stewart
Benton	Grey (D)	May	Stokes
Crawford	Hardin	Nettles	Therrell
Doss	Hearn	O'Daniel	Warren
Downing	Kinsey	Perloff	Wise
Erdreich	Lang	Reynolds	Wood
Falkenburg			

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Nays:

Messrs.:	Culver	Jones (F)	Pruitt
Adams	Drake	Lutz	Reed (T)
Agee	Easters	McCluskey	Reid (R)
Bank	Edwards	McDonald	Robertson
Barkett	Ellis	McNair	Slate
Barron	Flippo	Manley	Snell
Boutwell	Grainger	Meeks	Stubbs
Carnes	Hale	Merrill	Taylor
Carter	Harris	Mims	Timmons
Cauthen	Headley	Naramore	Turner
Chesnut	Hill	Owens	Turnham
Connell	Hobbie	Parker	Waggoner
Cottingham	Hughes	Porter	Wynot
Cross	Jackson		

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H. 1319 RESUMED

And the bill, H. 1319 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 29.

Yeas:

Messrs.:	Brassell	Connell	Doss
Adams	Burgess	Coshatt	Downing
Bank	Carnes	Cottingham	Drake
Barkett	Carter	Crawford	Easters
Barron	Casey	Cross	Ellis
Boutwell	Cauthen	Crowe	Fite
Bowers	Chesnut	Culver	Flippo

Grainger	McCluskey	O'Daniel	Timmons
Hale	McDonald	Owens	Turner
Harris	McNair	Parker	Turnham
Headley	Manley	Porter	Waggoner
Hobbie	Meeks	Pruitt	Warren
Jones (F)	Merrill	Slate	Williams
King	Mims	Snell	Wise
Lutz	Naramore		

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Nays:

Messrs.:	Gray (F)	McBride	Smith (K)
Agee	Hardin	McCorquodale	Stewart
Bassett	Hearn	May	Stokes
Benton	Hill	Nettles	Stubbs
Callahan	Hughes	Perloff	Therrell
Erdreich	Jackson	Reynolds	Wallace
Falkenburg	Kinsey	Robertson	Wood
Goodwin	Lang		

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MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Grainger to suspend the rules in order to bring up out of order the bill, H. 616, was lost, lacking a four-fifths vote.

Yeas 38; Nays 23.

Yeas:

Mr. Speaker	Drake	Hearn	Reed (T)
Bassett	Edwards	Hill	Reid (R)
Boutwell	Fite	Hughes	Reynolds
Bowers	Flippo	Jones (F)	Slate
Brassell	Goodwin	King	Stokes
Carnes	Grainger	Kinsey	Williams
Carter	Gray (F)	Lutz	Wise
Casey	Grey (D)	May	Wood
Cauthen	Hale	Pruitt	Wynot
Cross	Harris		

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Nays:

Messrs.:	Downing	Merrill	Porter
Agee	Hobbie	Mims	Smith (K)
Barron	Jackson	Naramore	Snell
Chesnut	Lang	Nettles	Stewart
Connell	McBride	Owens	Timmons
Crowe	McCorquodale	Perloff	Warren

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RESOLUTIONS

The following resolutions were introduced:

By Rules Committee:

H. R. 218. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business on the 32nd Legislative Day, taking precedence over any other business of the House:

Uncontested Local Bills

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Unfinished Business—Previous Special Order Calendar.

H. B. 1672	Page 188	Exemptions for Privilege Tax
H. B. 1762	Page 132	Procedure for Keeping Records of Personal Property
H. B. 1763	Page 133	Learner's Permits Fee
H. B. 1764	Page 133	Duplicate Driver's License Fee
H. B. 1765	Page 133	Cost of Replacement Tags
H. B. 1767	Page 135	Manager of Printing & Publications
H. B. 1772	Page 134	Space Management Program
H. B. 1774	Page 134	Data Systems Management Division—Finance
H. B. 1480	Page 143	Local Government Cooperation
H. B. 1700	Page 97	Regulation of Private Schools
H. B. 2029	Page 187	State Employees Retirement Computation
H. B. 263	Page 182	Invasion of Privacy
H. B. 745	Page 108	Vital Statistics Fees
H. B. 676	Page 110	Hospital Licensure
H. B. 679	Page 144	Uniform Controlled Substances Act
H. B. 673	Page 110	Ionizing Radiation Control Inspections
H. B. 138	Page 5	Abolishing Dealer Tags
H. B. 244	Page 187	Deputy District Attorney
H. B. 1016	Page 139	Deputy District Attorney
H. B. 800	Page 189	Deputy District Attorney
H. B. 2138	Page 148	Circuit Judges
H. B. 122	Page 12	Per diem for State Employees
H. B. 125	Page 189	State Employees Retirement System
H. B. 694	Page 120	Judicial Article
H. B. 1758	Page 147	Supernumerary District Attorneys
H. B. 508	Page 131	Food Stamps
H. B. 1804	Page 118	Pension Plan
H. B. 1805	Page 119	Pension Plan
H. B. 2038	Page 178	State Banking Department
H. B. 2039	Page 179	State Banking Department
H. B. 1887	Page 150	Soy Beans
H. B. 942	Page 19	People's Attorney—PSC
H. B. 1891	Page 126	Voter Consultant
H. B. 1155	Page 117	Deputy Voter Registration
H. B. 1169	Page 48	Alabama Recreation Commission
H. B. 1539	Page 149	Junior College Division
H. B. 1156	Page 181	Retirement System for Peace Officers
H. B. 42	Page 58	Commercial Fishing
H. B. 1908	Page 184	Longevity Pay—Law Enforcement Officers
H. B. 340	Page 24	Teacher Tenure for Certain Schools
H. B. 514	Page 6	Recorder's Court
H. B. 515	Page 6	Recorder's Court
H. B. 621	Page 6	Citizens Band Radio
H. B. 1464	Page 127	Law Clerks
H. B. 624	Page 107	Board of Pharmacy
H. B. 2144	Page 186	Lunchroom workers & custodial Workers—Salary
H. B. 840	Page 85	Captive County
H. B. 1358	Page 69	UA Medical School—Spain Tower
H. B. 354	Page 55	Legislative Agents

H. B. 1063 Page 82 Alabama Board of Nursing
 H. B. 1587 Page 185 Special Educational Trust Fund

Mrs. Wynot offered the following amendment to the resolution, H. R. 218:

Amend Special Order calendar for 32nd Legislative Day to add H. B. 119, page 53, to the top of the calendar for the legislative day.

MOTION TO TABLE LOST

The motion of Mr. Drake to table the amendment offered by Mrs. Wynot to the resolution, H. R. 218, was lost.

Yeas 11; Nays 61.

Yeas:

Mr. Speaker	Drake	Parker	Turner	
Benton	McCorquodale	Perloff	Wood	
Downing	Nettles	Slate		—11

Nays:

Mesars.:	Crowe	Jones (F)	Robertson	
Adams	Culver	King	Smith (K)	
Bank	Doss	Kinsey	Smith (P)	
Barkett	Easters	Lutz	Snell	
Barron	Edwards	McBride	Stewart	
Boles	Ellis	McMillan	Stubbs	
Boutwell	Fite	McNair	Therrell	
Brassell	Gafford	May	Timmons	
Burgess	Goodwin	Merrill	Turnham	
Carnes	Grainger	Mims	Waggoner	
Carter	Gray (F)	Naramore	Wallace	
Cauthen	Hale	Owens	Warren	
Chesnut	Hardin	Porter	Williams	
Connell	Hearn	Reid (R)	Wise	
Coshatt	Hill	Reynolds	Wynot	
Cross	Hobbie			—61

The question was then on the amendment offered by Mrs. Wynot to the resolution, H. R. 218, and the amendment was adopted.

And the resolution, H. R. 218:

H. R. 218.

By: Committee on Rules.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business on the 32nd Legislative Day, taking precedence over any other business of the House:

Uncontested Local Bills

Unfinished Business - Previous Special Order Calendar

H. B. 1590	Page 54	Utility Reimbursement
H. B. 11	Page 78	Helicopter Ambulance
H. B. 1218	Page 46	Family Planning Service
H. B. 992	Page 21	Purchases Made by Colleges Jointly
H. B. 210	Page 87	County Engineer Qualifications

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H. B. 857	Page 51	Area Planning Boards
H. B. 1227	Page 36	Voting Machines - Printouts
H. B. 1613	Page 58	Marine Environmental Sciences Consortium
H. B. 448	Page 44	Teacher Retirement for Custodians & Janitors
H. B. 1272	Page 116	Reopener - Teacher Retirement
H. B. 107	Page 128	Alabama Condominium Act
H. B. 1185	Page 90	Supernumerary Circuit Clerks
H. B. 1191	Page 39	Circuit Clerks - Convention Expenses
H. B. 1560	Page 112	Vending Machines
H. B. 777	Page 95	Medical Scholarships for Interns
H. B. 778	Page 94	Medical Scholarships for Interns
H. B. 779	Page 94	Medical Scholarships for Interns
H. B. 1143	Page 85	Water Management Districts
H. B. 299	Page 41	Appropriation for Social Security - State
H. B. 1549	Page 126	Representative on Ala. Historical Com. TSU
H. B. 793	Page 15	Public Service Commission - Salary
H. B. 1572	Page 69	Mental Health
H. B. 491	Page 8	Law Enforcement
H. B. 488	Page 13	Law Enforcement Officers - Overtime pay
H. B. 939	Page 42	Minimum Wage for Law Enforcement Officers
H. B. 1255	Page 34	Legal Fees for Law Enforcement Officers
H. B. 971	Page 5	Create Recreation Board
H. B. 1385	Page 40	Solid Waste & Landfills
H. B. 1829	Page 112	Retirement Benefits for Justices of Supreme
H. B. 707	Page 115	Board of Corrections
H. B. 710	Page 123	Board of Corrections
H. B. 1182	Page 47	Public Kindergarten
H. B. 1220	Page 129	Abortion Control
H. B. 1913	Page 110	University of South Alabama
H. B. 1070	Page 53	Alabama Beverage Control
H. B. 1072	Page 53	Alabama Beverage Control
H. B. 1074	Page 53	Alabama Beverage Control
H. B. 445	Page 17	Plumbers
H. B. 256	Page 77	Disability Benefits for Teachers
H. B. 300	Page 67	State Employees' Retirement System
H. B. 1815	Page 127	State Board of Veterans Affairs
H. B. 226	Page 20	Teacher Tenure
H. B. 1635	Page 120	Nursing Scholarships
H. B. 1331	Page 55	Military re-employment
H. B. 526	Page 11	Alcoholic Tax
H. B. 1576	Page 109	State Income Tax - Alimony
H. B. 1120	Page 36	State Banking Department
H. B. 1121	Page 37	State Banking Department
H. B. 643	Page 49	Income Tax Exemption - B'ham's Children's Theatre
H. B. 574	Page 106	Sales Mart - Birmingham
H. B. 1007	Page 55	Collection Agencies
H. B. 272	Page 35	Barbers
H. B. 1219	Page 114	Court Reporters
H. B. 1458	Page 123	Court Reporters
H. B. 1280	Page 49	Court Reporters
H. B. 1278	Page 122	Court Reporters
H. B. 426	Page 13	Emergency Medical Technicians

H. B. 1173	Page 17	Sales & Use Tax
H. B. 1174	Page 18	Sales & Use Tax
H. B. 1175	Page 18	Sales & Use Tax
H. B. 1176	Page 18	Sales & Use Tax
H. B. 1177	Page 19	Sales & Use Tax
H. B. 1178	Page 19	Sales & Use Tax
H. B. 1179	Page 19	Sales & Use Tax
H. B. 338	Page 12	Estimating Value of Property
H. B. 1757	Page 134	Driver Education
H. B. 119	Page 47	Retirement for Teachers
H. B. 1672	Page 146	Exemptions for Privilege Tax
H. B. 1762	Page 117	Procedure for Keeping Records of Personal Property
H. B. 1763	Page 117	Learner's Permits Fee
H. B. 1764	Page 118	Duplicate Driver's License Fee
H. B. 1765	Page 118	Cost of Replacement Tags
H. B. 1767	Page 120	Manager of Printing & Publications
H. B. 1772	Page 119	Space Management Program
H. B. 1774	Page 119	Data Systems Management Division - Finance
H. B. 1480	Page 128	Local Government Cooperation
H. B. 1700	Page 84	Regulation of Private schools
H. B. 2029	Page 145	State Employees Retirement Computation
H. B. 263	Page 140	Invasion of Privacy
H. B. 745	Page 93	Vital Statistics Fees
H. B. 676	Page 96	Hospital Licensure
H. B. 679	Page 129	Uniform Controlled Substances Act
H. B. 673	Page 96	Ionizing Radiation Control Inspections
H. B. 138	Page 5	Abolishing Dealer Tags
H. B. 244	Page 145	Deputy District Attorney
H. B. 1016	Page 124	Deputy District Attorney
H. B. 800	Page 147	Deputy District Attorney
H. B. 2138	Page 132	Circuit Judges
H. B. 122	Page 11	Per diem for State Employees
H. B. 125	Page 147	State Employees Retirement System
H. B. 694	Page 106	Judicial Article
H. B. 1758	Page 132	Supernumerary District Attorneys
H. B. 508	Page 115	Food Stamps
H. B. 1804	Page 104	Pension Plan
H. B. 1805	Page 105	Pension Plan
H. B. 2038	Page 137	State Banking Department
H. B. 2039	Page 138	State Banking Department
H. B. 1887	Page 134	Soy Beans
H. B. 942	Page 16	People's Attorney - PSC
H. B. 1891	Page 111	Voter Consultant
H. B. 1155	Page 103	Deputy Voter Registration
H. B. 1169	Page 43	Alabama Recreation Commission
H. B. 1539	Page 133	Junior College Division
H. B. 1156	Page 139	Retirement System for Peace Officers
H. B. 42	Page 51	Commercial Fishing
H. B. 1908	Page 142	Longevity Pay - Law Enforcement Officers
H. B. 340	Page 20	Teacher Tenure for Certain Schools
H. B. 514	Page 6	Recorder's Court
H. B. 515	Page 6	Recorder's Court
H. B. 621	Page 6	Citizens Band Radio

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H. B. 1464	Page 111	Law Clerks
H. B. 624	Page 93	Board of Pharmacy
H. B. 2144	Page 144	Lunchroom workers & custodial Workers Salary
H. B. 840	Page 74	Captive County
H. B. 1358	Page 59	UA Medical School - Spain Tower
H. B. 354	Page 49	Legislative Agents
H. B. 1063	Page 72	Alabama Board of Nursing
H. B. 1587	Page 143	Special Educational Trust Fund

As thus amended, was adopted.

Also:

By Messrs. Merrill, Stewart and Burgess:

**H. J. R. 219. OPPOSING THE CLOSING OF THE MILITARY
BASE AT FORT MCCLELLAN.**

WHEREAS the announced decision that a study is being made to consider the closing of Fort McClellan at Anniston, Alabama has come as a distinct shock to the citizens of this state and particularly to the people of the Anniston area; and

WHEREAS strong local support has always been given to the military forces at Fort McClellan since, when with the declaration of war with Germany in 1917, the War Department was rapidly surveying the country for possible camp sites, the citizens of Anniston patriotically underwrote additional funds in the amount of \$136,000 necessary to compensate owners of crops planted on the desired site, an obligation which cost the citizens of Anniston much anxiety and hard work and was not paid off until 1934; and

WHEREAS the unusually favorable climate of Anniston, the high caliber civilian personnel, including master craftsman available for employment at the Fort and the economic, civic, social and cultural contributions of the military have resulted in a closely interwoven relationship of mutual respect between Fort McClellan personnel and the citizens of Anniston, a fact which is attested to by the large number of military retirees and five of the six past commanding officers of Fort McClellan who have chosen to make Anniston their permanent home; and

WHEREAS the consideration of any plan to close Fort McClellan is a particularly severe blow in view of the fact that Fort McClellan was the home of the WACs and that plans were in the making to double the WAC strength by 1976, and that plans and expenditures have already been made in reliance upon the anticipated move of the Military Police School to Fort McClellan with the expected base strength to be 10,051, including some 8,851 military and 1,200 civilians by 1975; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we respectfully request the Army to study thoroughly and evaluate carefully the many advantages of keeping its installation at Fort McClellan open and activated to its fullest capacity and that all plans to close its facilities at the place be definitely abandoned as soon as possible.

BE IT FURTHER RESOLVED That copies of this resolution be sent to the following:

The Honorable Howard H. Callaway
Secretary of the Army
Department of the Army
Washington, D. C. 20310

General Creighton Abrams
Chief of Staff
Department of the Army
Washington, D. C. 20310

RESOLVED FURTHER That copies of this resolution also be sent to Senators John Sparkman and James Allen and to each member of the Alabama delegation in the House of Representatives of the United State Congress, with the urgent request that each such officer do everything in his power which is necessary and appropriate to maintain the military facilities at Fort McClellan and to prevent the closing of its base of operations.

On motion of Mr. Merrill, the rules were suspended and the resolution, H. J. R. 219, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Lutz, the rules were suspended for the introduction of General Bills.

Yeas 81; Nays 0.

Yeas:

Messrs.:	Cross	Hobbie	Pruitt
Adams	Culver	Hughes	Reed (T)
Adwell	Doss	Jones (F)	Reid (R)
Agee	Downing	King	Reynolds
Bank	Drake	Kinsey	Robertson
Barkett	Easters	Lutz	Slate
Barron	Edwards	McBride	Smith (K)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McMillan	Stubbs
Boles	Flippo	McNair	Taylor
Boutwell	Gafford	Manley	Therrell
Bowers	Goodwin	Mathews	Timmons
Brassell	Grainger	Meeks	Turner
Carnes	Gray (F)	Mims	Turnham
Carter	Grey (D)	Naramore	Waggoner
Cauthen	Hale	Nettles	Wallace
Chesnut	Hardin	O'Daniel	Williams
Collins	Harris	Owens	Wise
Connell	Headley	Parker	Wood
Coshatt	Hearn	Porter	Wynot
Cottingham	Hill		

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INTRODUCTION OF GENERAL BILLS SEVERALLY READ ONE TIME AND REFERRED TO APPROPRIATE STANDING COMMITTEES AS FOLLOWS:

By Messrs. Lutz, Grainger, King, Hearn and Hale:

H. 2266. To amend Title 61, Section 69, Code of Alabama 1940, as

amended, so as to provide that a non-resident may be appointed executor of a decedent's estate upon the consent of all heirs at law, legatees, and claimants of record of such estate.

Judiciary.

By Messrs. Ellis, Doss, Waggoner and Wallace:

H. 2267. To exempt certain religious organizations from the payment of any tax levied upon the recordation of certain instruments of conveyance under Title 51, Section 618, Code of Alabama 1940, as amended.

Judiciary.

By Messrs. Hughes, Ellis, Boles, Timmons, Naramore, Crowe, Adwell, Waggoner, McNair, Wallace, Robertson, Waldrop, Chesnut, Crawford and McBride:

H. 2268. Establishing a will writing division in the Attorney General's Office; providing for the distribution of forms to the public; allowing for the witness to a will by a notary public; providing for the filing of a tentative will in the probate judge's office.

Judiciary.

By Messrs. McNair, Doss and Boutwell:

H. 2269. To establish the Poor Appeal Minority Enterprises Commission to engage in self-help anti-poverty work in the state and especially the most populous county; making the organization exempt from the state sales, use and ad valorem taxes.

Public Welfare.

By Mr. King:

H. 2270. Relating to the preservation, protection, and restoration of the public health and weal by providing for the registration of Relocation Advisers and Relocation Advisers in-training; providing for the establishment of a board of registration and prescribing its powers, duties, and functions; dealing with qualifications, appointments, removal, compensation and expenses of members thereof; providing for examination, qualifications, and registration of Relocation Advisers and Relocation Advisers in-training, and for issuance, renewal, and reinstatement of certificates of registration; fixing fees therefor; authorizing revocation of certificates; providing for expenditure of funds collected under provisions of this act; and providing a penalty.

Public Welfare.

By Mr. Stubbs:

H. 2271. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census, to form districts within their respective counties for the establishment and maintenance of a system for fighting and preventing fires, for the collection and disposal of trash, for supplying water services, for the collection and treatment and disposal of sewage, for the operation of emergency medical services including ambulance services, and for other similar local type services; and to provide for the administration of such

services within such districts including the levy and collection of charges for such services.

Local Legislation No. 1.

By Messrs. Hill and Flippo:

H. 2272. To prescribe means, in addition to the giving of bail bonds, by which a person charged with an offense in counties having populations of not less than 65,500 nor more than 75,200, according to the most recent federal decennial census, regardless of his financial or social status, may give security for appearance in order to secure his release instead of being needlessly detained pending his appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest.

Local Legislation No. 1.

SPECIAL ORDER RESUMED

And the bill:

H. 1515. Amending Section 77 of Title 41, Alabama Code, 1940, requiring the execution of bonds by a tax collector, so as to provide a formula for determining the amount of the bond.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 1.

Yeas:

Mr. Speaker	Drake	Lutz	Reid (R)
Adwell	Easters	McBride	Robertson
Agee	Edwards	McCorquodale	Slate
Bank	Ellis	McMillan	Smith (K)
Barkett	Erdreich	McNair	Smith (P)
Barron	Fite	Manley	Snell
Boles	Gafford	Mathews	Stokes
Boutwell	Grainger	May	Stubbs
Bowers	Gray (F)	Meeks	Taylor
Brassell	Hale	Mims	Therrell
Carnes	Hardin	Naramore	Turner
Carter	Headley	Nettles	Turnham
Cauthen	Hearn	O'Daniel	Waggoner
Connell	Hobbie	Owens	Wallace
Coshatt	Hughes	Parker	Warren
Cottingham	Jackson	Perloff	Williams
Cross	King	Porter	Wise
Crowe	Kinsey	Pruitt	Wood
Downing			

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Nay: Mr. Goodwin.

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MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McDonald, the rules were suspended in order to bring up out of order the bill, H. 2152.

And the bill:

H. 2152. To provide for the selection of a presiding judge in the Twenty Seventh Judicial Circuit.

Was taken up.

Mr. McDonald offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To provide for the judges of the Twenty-Seventh Judicial Circuit to jointly act as presiding judge and to provide for the selection of a presiding judge if such arrangement is not feasible, and to provide for the term of such presiding judge.

Be It Enacted by the Legislature of Alabama:

Section 1. The judges of the Twenty-Seventh Judicial Circuit shall jointly perform the duties of presiding judge unless a presiding judge is designated as provided herein.

Section 2. In the event either of the judges of the Twenty-Seventh Judicial Circuit shall certify in writing to the Chief Justice of the Supreme Court of Alabama that the best interests of such circuit require that one of the judges be presiding judge, then, the Chief Justice, if he deems that a presiding judge for such circuit is necessary, shall, in writing, request the judges of such circuit to unanimously and in writing select one of their number as presiding judge, and if such selection is not unanimously made within thirty days of such request by the Chief Justice, then, the Chief Justice may select one of the judges of said circuit as presiding judge. The action of the judges in unanimously selecting one of their number as presiding judge or, in the event of their failure, the order of the Chief Justice selecting a presiding judge shall be spread upon the minutes of said circuit court.

Section 3. Such appointment of a presiding judge, however made, shall expire on January 18 in any odd numbered year, or by order of the Chief Justice, or upon the death, removal, retirement or resignation of such judge, and upon the expiration of such appointment the judges shall again jointly perform the duties of presiding judge until another appointment occurs as provided herein.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Carnes	Easters	Headley
Adams	Carter	Edwards	Hearn
Adwell	Cauthen	Ellis	Hobbie
Agee	Chesnut	Erdreich	Hughes
Barkett	Connell	Fite	Jackson
Barron	Coshatt	Flippo	Kinsey
Bassett	Cottingham	Gafford	Lutz
Boles	Cross	Grainger	McBride
Bowers	Crowe	Gray (F)	McCorquodale
Brassell	Downing	Hale	McMillan
Callahan	Drake	Hardin	McNair

Manley	Owens	Smith (K)	Turnham
Mathews	Porter	Snell	Waggoner
May	Pruitt	Stokes	Wallace
Meeks	Reid (R)	Stubbs	Williams
Mims	Reynolds	Taylor	Wise
Namore	Robertson	Therrell	Wood
Nettles	Slate	Turner	Wynot
O'Daniel			

—73

And the bill:

H. 2152. To provide for the judges of the Twenty-Seventh Judicial Circuit to jointly act as presiding judge and to provide for the selection of a presiding judge if such arrangement is not feasible, and to provide for the term of such presiding judge.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reid (R)
Adams	Downing	Kinsey	Robertson
Adwell	Drake	Lutz	Slate
Agee	Easters	McBride	Smith (K)
Bank	Edwards	McCluskey	Smith (P)
Barkett	Ellis	McCorquodale	Snell
Barron	Erdreich	McMillan	Stokes
Bassett	Falkenburg	McNair	Stubbs
Boutwell	Fite	Manley	Taylor
Bowers	Flippo	Mathews	Therrell
Brassell	Gafford	May	Timmons
Callahan	Grainger	Meeks	Turner
Carnes	Gray (F)	Mims	Turnham
Carter	Hale	Namore	Waggoner
Casey	Hardin	Nettles	Wallace
Cauthen	Headley	O'Daniel	Warren
Chesnut	Hearn	Owens	Williams
Connell	Hill	Perloff	Wise
Coshatt	Hobbie	Porter	Wood
Cottingham	Hughes	Pruitt	Wynot
Cross	Jackson		

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MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Hill moved to reconsider the vote by which the bill, H. 622 as amended, was passed, and the motion was adopted.

Yeas 44; Nays 4.

Yeas:

Messrs.:	Connell	Fite	Hill
Adams	Coshatt	Flippo	Hobbie
Agee	Cottingham	Goodwin	Jones (F)
Callahan	Cross	Grainger	King
Carnes	Doss	Gray (F)	Kinsey
Carter	Edwards	Hale	Lutz
Cauthen	Erdreich	Hearn	McBride

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McDonald	Reid (R)	Stokes	Turnham	
McNair	Reynolds	Stubbs	Wallace	
May	Robertson	Taylor	Williams	
Naramore	Slate	Turner	Wynot	
Pruitt				—44

Nays: Messrs. Barron, Nettles, Owens and Smith (K). —4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 622. To provide that all retirement income or disability pay received by any retired military personnel shall be exempt from all state, county or city income taxes or like taxes.

Was again taken up.

Mr. Hill offered the following amendment to the bill:

Amend H. B. 622 by amending the title and Section 1 by inserting "and retired personnel of the Tennessee Valley Authority" after the words "military services." Also salary of retired people in foreign service who are residents of Alabama.

MOTION TO TABLE LOST

The motion offered by Mr. Merrill to table the amendment offered by Mr. Hill to the bill, H. 622 as amended, was lost.

Yeas 22; Nays 36.

Yeas:

Mr. Speaker	Bowers	McCorquodale	Owens	
Adams	Carnes	McDonald	Parker	
Bank	Downing	Merrill	Smith (K)	
Barron	Erdreich	Naramore	Snell	
Bassett	Fite	Nettles	Warren	
Boles	Hardin			—22

Nays:

Messrs.:	Goodwin	McBride	Robertson	
Boutwell	Grainger	McCluskey	Slate	
Brassell	Gray (F)	McMillan	Smith (P)	
Carter	Hale	McNair	Stokes	
Cauthen	Hearn	Meeks	Therrell	
Connell	Hill	Perloff	Turnham	
Coshatt	Hobbie	Porter	Waggoner	
Cross	King	Pruitt	Williams	
Edwards	Lutz	Reynolds	Wynot	
Flippo				—36

AMENDMENT ADOPTED

The question was then on the amendment offered by Mr. Hill, to the bill, H. 622 as amended, and the amendment was adopted.

Yeas 54; Nays 2.

Yeas:

Mr. Speaker	Downing	King	Pruitt
Boles	Edwards	Kinsey	Reynolds
Boutwell	Erdreich	Lutz	Robertson
Bowers	Flippo	McBride	Slate
Brassell	Goodwin	McCluskey	Smith (K)
Callahan	Grainger	McDonald	Smith (P)
Carnes	Gray (F)	McNair	Snell
Carter	Grey (D)	Manley	Stubbs
Casey	Hale	May	Turnham
Cauthen	Headley	Meeks	Waggoner
Connell	Hearn	Merrill	Wallace
Coshatt	Hill	Mims	Williams
Cottingham	Hobbie	Owens	Wynot
Cross	Hughes		

—54

Nays: Messrs. Perloff and Stokes.

—2

And the bill:

H. 622. To provide that all retirement income or disability pay received by any retired military personnel and retired employees of the Tennessee Valley Authority, also salary of retired people in foreign service who are residents of Alabama, shall be exempt from all state, county or city income taxes or like taxes.

As thus amended, was again read at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 4.

Yeas:

Messrs.:	Doss	King	Reed (T)
Adams	Downing	Kinsey	Reid (R)
Agee	Drake	Lutz	Reynolds
Barkett	Edwards	McBride	Robertson
Bassett	Erdreich	McCluskey	Slate
Boutwell	Fite	McDonald	Smith (K)
Bowers	Flippo	McMillan	Smith (P)
Brassell	Gafford	McNair	Snell
Callahan	Goodwin	Manley	Stubbs
Carnes	Grainger	Mathews	Taylor
Carter	Gray (F)	May	Turner
Casey	Grey (D)	Meeks	Turnham
Cauthen	Hale	Merrill	Waggoner
Chesnut	Hardin	Mims	Wallace
Connell	Headley	Naramore	Warren
Coshatt	Hearn	O'Daniel	Williams
Cottingham	Hill	Owens	Wood
Cross	Hobbie	Pruitt	Wynot
Crowe	Jones (F)		

—73

Nays: Messrs. Barron, Lang, Porter and Stokes.

—4

RESOLUTION

The following resolution was introduced:

By Mr. Turnham:

H. J. R. 220. RELATING TO THE ASSESSMENT OF PROPERTY ACCORDING TO CLASSIFICATION AS PROVIDED BY CONSTITUTIONAL AMENDMENT NO. 325.

WHEREAS Constitutional Amendment No. 325 which was proposed by Act No. 116, H. 56, Third Special Session 1971 (Acts 1971, p. 4339), providing for the assessment of taxable property for ad valorem tax purposes according to a classification of property, provides that any and all millage adjustment must be made in the year next succeeding the adoption of the amendment and does not set a time certain during that year in which such adjustment shall be made; and

WHEREAS statutes require that county governing bodies levy all taxes which are their responsibility to levy during the month of February of each year, but there is no mention in these statutes of the required millage adjustment in the above named Constitutional Amendment No. 325; and

WHEREAS it is impossible in many cases to determine the effect on local revenue of the classification required in the said constitutional amendment until much later than the statutory requirement of the respective county governing bodies to levy taxes in February; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the respective county governing bodies shall be allowed to effect the one time millage adjustment provided for in Constitutional Amendment No. 325 at any time prior to the tax year beginning October 1, 1973.

BE IT FURTHER RESOLVED That the period for assessment and collection may, at the discretion of the respective county governing bodies, be changed to accommodate the intentions of this resolution for the 1973 tax year, one time and one time only.

The resolution, H. J. R. 220, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 995. To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or any subsequent federal census) so as to increase from twenty-two per cent (22%) to fifty per cent (50%) the portion of the total amount of the second one-half share of proceed from the taxes levied by said Act No. 405 required to be paid to the Treasurer or other custodian of funds for the Board of Health of any such county.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Timmons, the House concurred in and adopted the Senate amendment to the bill, H. 995, said Senate amendment being as follows:

(1) Delete in Section 1, subsection (d) the words and figures "twenty-eight per cent (28%)" and insert in lieu thereof the words and figures "nine per cent (9%)",

(2) Insert at the end of said subsection (d), after the word "and", the following:

"provided further, that said payments to the Treasurer or other custodian for the Board of Health of an amount equal to nine per cent (9%) of the total amount of the second such one-half share shall not commence until the payment or distribution required to be on or before October 20, 1973, and that until such time said nine per cent (9%) of such one-half share shall be paid into the general treasury of the County; and"

(3) Delete from Section 1, the second paragraph of Section 11 the words "and (b) he shall pay the balance of such one-half share into the Indigent Care Fund." and insert in lieu thereof the following:

"(b) he shall, commencing with the payment or distribution required to be made on or before July 20, 1974, pay to the Treasurer or other custodian of funds for the Board of Health in any such county an amount equal to nine per cent (9%) of such one-half share, and (c) he shall pay the balance of such one-half share into the Indigent Care Fund."

(4) Amend the title to read as follows:

"To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or subsequent federal census), so as to allocate to the Board of Health of any such county (effective with the distribution required to be made on or before July 20, 1974) nine per cent (9%) of the first one-half share of proceeds from the taxes levied by said Act No. 405 over and above that portion allocated for the costs of collection, administration and enforcement and so as to increase (effective with the distribution required to be made on or before October 20, 1973) from twenty-two per cent (22%) to thirty-one per cent (31%) the portion of the total amount of the second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to the Treasurer or other custodian of funds for the Board of Health of any such county."

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Cottingham	Falkenburg
Adams	Brassell	Cross	Fite
Agee	Carnes	Crowe	Goodwin
Bank	Carter	Doss	Grainger
Barkett	Casey	Downing	Gray (F)
Barron	Chesnut	Drake	Grey (D)
Bassett	Connell	Easters	Headley
Boles	Coshatt	Ellis	Hearn

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Hobbie	Manley	Parker	Stubbs
Hughes	Mathews	Porter	Timmons
Jackson	May	Pruitt	Turnham
King	Meeks	Reed (T)	Waggoner
Kinsey	Merrill	Reynolds	Wallace
Lang	Mims	Robertson	Warren
Lutz	Naramore	Snell	Wise
McBride	Nettles	Stewart	Wynot
McMillan	Owens	Stokes	

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And the bill:

H. 995. To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or subsequent federal census), so as to allocate to the Board of Health of any such county (effective with the distribution required to be made on or before July 20, 1974) nine per cent (9%) of the first one-half share of proceeds from the taxes levied by said Act No. 405 over and above that portion allocated for the costs of collection, administration and enforcement and so as to increase (effective with the distribution required to be made on or before October 20, 1973) from twenty-two per cent (22%) to thirty-one per cent (31%) the portion of the total amount of the second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to the Treasurer or other custodian of funds for the board of Health of any such county.

As thus amended, was again read at length and passed.

Yeas 68; Nays 0.

Yeas:

Messrs.:	Doss	Jackson	Parker
Adams	Downing	King	Porter
Adwell	Drake	Kinsey	Pruitt
Agee	Easters	Lang	Reed (T)
Parkett	Ellis	Lutz	Reynolds
Barron	Falkenburg	McBride	Robertson
Bassett	Fite	McMillan	Slate
Benton	Flippo	McNair	Snell
Boles	Goodwin	Manley	Stokes
Boutwell	Grainger	Mathews	Stubbs
Carnes	Gray (F)	May	Timmons
Carter	Grey (D)	Meeks	Turnham
Casey	Hardin	Merrill	Waggoner
Chesnut	Headley	Naramore	Wallace
Connell	Hill	Nettles	Warren
Coshatt	Hobbie	O'Daniel	Wise
Cottingham	Hughes	Owens	Wynot
Cross			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1646. Relating to counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to provide

that in addition to all presently existing pistol permit fees there is hereby levied an additional pistol permit fee in the amount of Two Dollars and Fifty Cents (\$2.50); to provide that Two Dollars of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as the "Sheriff's Fund"; to provide for the use of said Sheriff's Fund; to provide that Fifty Cents (\$.50) of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as a "Legislative Fund"; to provide for the use of said Legislative Fund; to provide that the provisions of this Act shall be severable; and to repeal all laws and parts of laws in conflict with this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Timmons, the House concurred in and adopted the Senate amendment to the bill, H. 1646, said Senate amendment being as follows:

Amend H. B. 1646 by deleting in its entirety Section IV and renumbering the remaining sections accordingly.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Parker
Adams	Doss	King	Reed (T)
Adwell	Downing	Kinsey	Reid (R)
Agee	Drake	Lutz	Reynolds
Barkett	Erdreich	McBride	Snell
Barron	Fite	McDonald	Stokes
Bassett	Flippo	McMillan	Stubbs
Benton	Goodwin	Mathews	Timmons
Boutwell	Grainger	May	Turnham
Carnes	Gray (F)	Meeks	Waggoner
Carter	Gray (D)	Merrill	Wallace
Casey	Hardin	Mims	Warren
Cauthen	Headley	Naramore	Williams
Chesnut	Hobbie	Nettles	Wise
Connell	Hughes	Owens	Wynot
Coshatt			

—61

And the bill, H. 1646 as thus amended, was again read at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Bowers	Coshatt	Falkenburg
Adwell	Callahan	Cottingham	Fite
Agee	Carnes	Cross	Flippo
Barkett	Carter	Doss	Gafford
Barron	Casey	Downing	Goodwin
Bassett	Cauthen	Drake	Grainger
Benton	Chesnut	Easters	Gray (F)
Boutwell	Connell	Erdreich	Gray (D)

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Hale	McDonald	Owens	Timmons
Hardin	McMillan	Porter	Turnham
Headley	Mathews	Reed (T)	Waggoner
Hobbie	May	Reid (R)	Wallace
Hughes	Meeks	Reynolds	Warren
Jackson	Merrill	Snell	Williams
King	Mims	Stokes	Wise
Lutz	Naramore	Stubbs	Wynot
McBride	Nettles		

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SPECIAL ORDER RESUMED

And the bill:

H. 1087. To provide for the enactment of and make Alabama a party to the Southern Growth Policies Agreement.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cross	Kinsey	Reed (T)
Adams	Crowe	Lutz	Reid (R)
Agee	Culver	McBride	Reynolds
Bank	Doss	McCluskey	Robertson
Barkett	Downing	McDonald	Slate
Barron	Drake	McMillan	Smith (K)
Bassett	Easters	McNair	Smith (P)
Benton	Edwards	Manley	Snell
Boles	Erdreich	Mathews	Stewart
Boutwell	Fite	May	Stokes
Bowers	Goodwin	Meeks	Stubbs
Brassell	Grainger	Merrill	Therrell
Callahan	Gray (F)	Mims	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hardin	Nettles	Waggoner
Casey	Harris	O'Daniel	Wallace
Cauthen	Headley	Owens	Warren
Chesnut	Hobbie	Parker	Williams
Connell	Hughes	Perloff	Wise
Coshatt	Jackson	Porter	Wynot
Cottingham	King	Pruitt	

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And the bill:

H. 1126. Proposing an amendment to the Constitution of Alabama which would authorize the enactment of general and local laws with criminal penalties for the conservation and protection of the fish, wildlife, seafoods and agriculture of this state and further, authorizing the delegation to appropriate state agencies the power to promulgate rules and regulations pertaining thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Agee	Barkett	Bassett
Adams	Bank	Barron	Benton

Boles	Edwards	McCluskey	Robertson
Boutwell	Erdreich	McMillan	Slate
Bowers	Fite	McNair	Smith (K)
Brassell	Gafford	Manley	Smith (P)
Callahan	Goodwin	May	Snell
Carnes	Grainger	Meeks	Stewart
Carter	Gray (F)	Merrill	Stokes
Cauthen	Grey (D)	Mims	Stubbs
Chesnut	Hardin	Nettles	Taylor
Connell	Headley	Owens	Turner
Coshatt	Hobbie	Parker	Turnham
Cottingham	Hughes	Perloff	Waggoner
Cross	Jackson	Porter	Wallace
Doss	King	Pruitt	Warren
Downing	Kinsey	Reed (T)	Williams
Drake	Lutz	Reid (R)	Wise
Easters	McBride	Reynolds	Wynot

—76

And the bill:

H. 343. To amend Title 36, Section 53, of the Code of Alabama 1940.

Was taken up.

Mr. Grainger offered the following amendment to the bill:

In Section 1 delete the first two words of line 3, viz: "Section 3" and insert in lieu thereof the words Section 53.

And further amend the bill by deleting the word "charges" in the first sentence of Section 1 and inserting in lieu thereof the word "charged."

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Pruitt
Adams	Doss	Jackson	Reed (T)
Agee	Downing	King	Reid (R)
Bank	Drake	Kinsey	Reynolds
Barkett	Easters	Lutz	Robertson
Barron	Edwards	McBride	Smith (K)
Bassett	Ellis	McCluskey	Smith (P)
Benton	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Turner
Brassell	Gafford	Mathews	Turnham
Carnes	Goodwin	May	Waggoner
Carter	Grainger	Meeks	Wallace
Casey	Gray (F)	Merrill	Warren
Chesnut	Hale	Mims	Williams
Connell	Hardin	Naramore	Wise
Coshatt	Harris	Owens	Wood
Cottingham	Hill	Porter	Wynot
Cross	Hobbie		

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And the bill, H. 343 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Adams	Crowe	Jackson	Reed (T)
Adwell	Culver	King	Reid (R)
Agee	Doss	Kinsey	Reynolds
Bank	Downing	Lang	Robertson
Barkett	Drake	Lutz	Slate
Barron	Easters	McBride	Smith (K)
Bassett	Edwards	McCluskey	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stewart
Boutwell	Fite	McNair	Stokes
Bowers	Flippo	Manley	Stubbs
Brassell	Gafford	Mathews	Taylor
Callahan	Goodwin	May	Timmons
Carnes	Grainger	Meeks	Turner
Carter	Gray (F)	Merrill	Waggoner
Casey	Grey (D)	Mims	Wallace
Cauthen	Hale	Naramore	Warren
Chesnut	Harris	Owens	Williams
Connell	Headley	Parker	Wise
Coshatt	Hill	Perloff	Wood
Cottingham	Hobbie	Porter	Wynot
Crawford			

—89

And the bill:

H. 1792. To provide further for the compensation of the Clerk of the House and the Secretary of the Senate; providing for an annual salary for each of said officers and requiring that all fees received by them from the sale of bills introduced in the Legislature shall be paid into the State General Fund; to provide that the effective date of this act shall be January 1, 1974.

Was taken up.

Mr. Nettles offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To provide further for the compensation of the Clerk of the House and the Secretary of the Senate; providing for an annual salary for each of said officers and requiring that all fees received by them from the sale of bills introduced in the Legislature shall be paid into the State General Fund; to provide that the effective date of this act shall be January 1, 1974.

Be It Enacted by the Legislature of Alabama:

Section 1. The Clerk of the House and the Secretary of the Senate shall not retain any of the fees charged for the sale of copies of bills introduced in the Legislature and all such fees shall be deposited in the State Treasury to the credit of the General Fund and shall be used to cover the expenses of the Legislature.

Section 2. The Clerk of the House and the Secretary of the Senate shall each receive an annual salary of \$33,600.00 per annum.

Section 3. The Clerk of the House and Secretary of the Senate shall disclose their personal income in the same manner and under the same statutes as apply to all other members of the legislative branch of government.

Section 4. The Clerk of the House and the Secretary of the Senate shall each devote his whole time to his official business.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. The provisions of this act shall become effective January 1, 1974.

SUBSTITUTE TABLED

On motion of Mr. Gafford, the substitute offered by Mr. Nettles to the bill, H. 1792, was tabled.

Yeas 61; Nays 12.

Yeas:

Messrs.:	Cottingham	Jackson	Reynolds
Adwell	Crowe	Jones (F)	Robertson
Agee	Downing	Kinsey	Smith (K)
Barkett	Drake	Lang	Snell
Barron	Easters	McCluskey	Stokes
Bassett	Edwards	Manley	Stubbs
Benton	Ellis	Mathews	Taylor
Boles	Fite	May	Therrell
Boutwell	Gafford	Merrill	Timmons
Brassell	Goodwin	Mims	Turnham
Burgess	Gray (F)	Naramore	Waggoner
Callahan	Grey (D)	Porter	Wallace
Carnes	Hardin	Pruitt	Warren
Casey	Headley	Reed (T)	Williams
Chesnut	Hobbie	Reid (R)	Wood
Coshatt	Hughes		

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Nays:

Messrs.:	Hale	McDonald	Meeks
Cauthen	King	McMillan	Nettles
Erdreich	Lutz	McNair	Turner
Grainger			

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Mr. Nettles offered the following amendment to the bill, H. 1792:

Amend Section 2 of H. B. 1792 by deleting therefrom the words and figures "33,600.00 per annum" and substituting in lieu thereof "24,500.00 per annum".

AMENDMENT TABLED

On motion of Mr. Gafford, the amendment offered by Mr. Nettles to the bill, H. 1792, was tabled.

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Yeas 69; Nays 8.

Yeas:

Messrs.:	Crowe	Hughes	Robertson
Adwell	Doss	Jones (F)	Slate
Agee	Downing	King	Smith (K)
Bank	Drake	Kinsey	Snell
Barkett	Easters	Lutz	Stewart
Barron	Edwards	McCluskey	Stubbs
Bassett	Ellis	McDonald	Taylor
Benton	Falkenburg	Manley	Timmons
Boles	Fite	Mathews	Turner
Boutwell	Gafford	May	Turnham
Brassell	Goodwin	Merrill	Waggoner
Burgess	Grainger	Mims	Waldrop
Callahan	Gray (F)	Naramore	Wallace
Carnes	Grey (D)	Pruitt	Warren
Casey	Hardin	Reed (T)	Williams
Chesnut	Headley	Reid (R)	Wood
Coshatt	Hill	Reynolds	Wynot
Cottingham	Hobbie		

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Nays:

Messrs.:	Hale	Lang	McNair
Cauthen	Harris	McBride	Nettles
Erdreich			

—8

And the bill, H. 1792, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 2.

Yeas:

Messrs.:	Cross	Jackson	Reid (R)
Adams	Doss	Jones (F)	Reynolds
Adwell	Downing	King	Robertson
Agee	Drake	Kinsey	Slate
Bank	Edwards	Lutz	Smith (K)
Barkett	Ellis	McCluskey	Snell
Barron	Erdreich	McDonald	Stewart
Bassett	Falkenburg	McMillan	Stokes
Benton	Fite	McNair	Stubbs
Boles	Goodwin	Manley	Taylor
Boutwell	Grainger	Mathews	Therrell
Bowers	Gray (F)	May	Timmons
Brassell	Grey (D)	Merrill	Turner
Burgess	Hale	Mims	Turnham
Callahan	Hardin	Naramore	Waggoner
Carnes	Harris	Nettles	Wallace
Carter	Headley	Owens	Warren
Casey	Hill	Porter	Williams
Chesnut	Hobbie	Pruitt	Wood
Coshatt	Hughes	Reed (T)	Wynot
Cottingham			

—80

Nays: Messrs. McBride and Meeks.

—2

And the bill:

H. 376. To amend Title 52, Section 322, to provide for certification of nurses to serve in the position of professional school nurse and to provide

that prior to the issuance of such certificate the applicant shall have met all requirements prescribed by the State Board of Nursing for license as a Registered Nurse.

Was taken up.

Mr. Edwards offered the following amendment #1 to the bill:

Amend House Bill 376 by adding to Section 1, the following sentence: "A professional school nurse as used herein does not include nurses employed by state or county boards of health."

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hughes	Pruitt
Adams	Cross	Jackson	Reed (T)
Adwell	Downing	Jones (F)	Reid (R)
Agee	Drake	King	Reynolds
Barkett	Easters	Kinsey	Robertson
Barron	Ellis	Lutz	Smith (K)
Bassett	Erdreich	McBride	Snell
Benton	Falkenburg	McCluskey	Stokes
Boles	Fite	McDonald	Stubbs
Boutwell	Flippo	McMillan	Taylor
Brassell	Gafford	Manley	Therrell
Burgess	Goodwin	Mathews	Timmons
Callahan	Grainger	May	Turner
Carnes	Gray (F)	Mims	Turnham
Carter	Grey (D)	Naramore	Waggoner
Casey	Hale	Nettles	Warren
Cauthen	Hardin	Owens	Williams
Chesnut	Harris	Perloff	Wise
Connell	Headley	Porter	Wynot
Coshatt	Hill		

—78

Mr. Edwards offered the following amendment #2 to the bill, H. 376 as amended:

Amend H. B. 376 by adding new Section 2 and renumbering subsequent sections:

"Section 2. All persons presently employed as professional school nurses are exempted from the provisions of Title 52, Section 322, as herein amended so long as they remain in continuous employment. Provided however, upon termination of their existing employment and re-entry as a professional school nurse they shall be required to meet the provisions as set forth above."

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boles	Callahan
Adams	Barron	Boutwell	Carnes
Adwell	Bassett	Brassell	Carter
Agee	Benton	Burgess	Casey

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Cauthen	Goodwin	McDorald	Reid (R)
Chesnut	Grainger	McMillan	Reynolds
Collins	Gray (F)	McNair	Robertson
Connell	Grey (D)	Manley	Smith (K)
Coshatt	Hale	Mathews	Snell
Cross	Hardin	May	Stewart
Doss	Harris	Meeks	Stokes
Downing	Headley	Merrill	Stubbs
Drake	Hill	Mims	Therrell
Easters	Hughes	Naramore	Timmons
Edwards	Jackson	Nettles	Turner
Ellis	Jones (F)	Owens	Turnham
Erdreich	King	Parker	Warren
Falkenburg	Kinsey	Perloff	Williams
Fite	Lutz	Porter	Wise
Flippo	McBride	Pruitt	Wynot
Gafford	McCluskey	Reed (T)	

—83

And the bill, H. 376 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Messrs.:	Doss	Jackson	Pruitt
Adams	Downing	Jones (F)	Reed (T)
Adwell	Drake	King	Reid (R)
Agee	Easters	Kinsey	Reynolds
Barkett	Edwards	Lutz	Robertson
Barron	Ellis	McBride	Slate
Bassett	Erdreich	McCluskey	Smith (K)
Benton	Falkenburg	McDonald	Snell
Boles	Fite	McMillan	Stokes
Boutwell	Flippo	McNair	Stubbs
Brassell	Gafford	Manley	Taylor
Burgess	Goodwin	Mathews	Therrell
Callahan	Grainger	May	Timmons
Carnes	Gray (F)	Meeks	Turner
Carter	Grey (D)	Merrill	Turnham
Casey	Hale	Mims	Waggoner
Cauthen	Hardin	Naramore	Wallace
Chesnut	Harris	Nettles	Warren
Connell	Headley	Owens	Williams
Coshatt	Hill	Parker	Wise
Cottingham	Hobbie	Perloff	Wynot
Cross	Hughes	Porter	

—86

And the bill:

H. 1409. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing water works systems; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the revenues from any such system or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; and to authorize the re-funding of any such warrants.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Messrs.:	Doss	Jones (F)	Reed (T)
Adams	Downing	King	Reid (R)
Adwell	Drake	Kinsey	Reynolds
Agee	Easters	Lutz	Robertson
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Bassett	Erdreich	McDonald	Smith (P)
Benton	Falkenburg	McMillan	Snell
Boles	Fite	McNair	Stokes
Boutwell	Flippo	Manley	Stubbs
Brassell	Goodwin	Mathews	Taylor
Burgess	Grainger	May	Therrell
Callahan	Gray (F)	Meeks	Timmons
Carnes	Grey (D)	Merrill	Turner
Carter	Hale	Mims	Turnham
Casey	Hardin	Naramore	Waggoner
Cauthen	Harris	Nettles	Wallace
Chesnut	Headley	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Porter	Wynot
Cross	Jackson	Pruitt	

—86

MOTION TO ADJOURN LOST

The motion offered by Mr. Adwell that the House adjourn until 12:00 o'clock noon, Thursday, August 23, 1973, was lost.

SPECIAL ORDER RESUMED

And the bill:

H. 1447. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding (\$3,000,000.00) for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Department of The Army.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Messrs.:	Brassell	Coshatt	Erdreich
Adams	Burgess	Cottingham	Falkenburg
Adwell	Callahan	Cross	Fite
Agee	Carnes	Doss	Flippo
Bank	Carter	Downing	Gafford
Bassett	Casey	Drake	Goodwin
Benton	Cauthen	Easters	Grainger
Boutwell	Chesnut	Edwards	Gray (F)
Bowers	Collins	Ellis	Grey (D)

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Hale	McBride	Pruitt	Taylor
Hardin	McCluskey	Reed (T)	Therrell
Harris	McNair	Reynolds	Timmons
Headley	Mathews	Robertson	Turner
Hill	Meeks	Slate	Turnham
Hobbie	Merrill	Smith (K)	Waggoner
Hughes	Nettles	Smith (P)	Waldrop
Jackson	Owens	Snell	Wallace
King	Parker	Stewart	Williams
Kinsey	Perloff	Stokes	Wise
Lutz	Porter	Stubbs	Wynot

—79

And the bill:

H. 1338. To provide facilities for displaying certain aviation and other exhibits in cooperation with the Department of The Army; creating the Alabama Aviation Exhibit Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hill	Reed (T)
Adams	Cross	Hughes	Reynolds
Adwell	Doss	Jackson	Robertson
Agee	Downing	King	Slate
Barkett	Drake	Kinsey	Smith (K)
Barron	Easters	Lutz	Smith (P)
Bassett	Edwards	McBride	Snell
Benton	Ellis	McCluskey	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Manley	Taylor
Bowers	Fite	May	Timmons
Brassell	Flippo	Meeks	Turner
Burgess	Gafford	Merrill	Turnham
Callahan	Goodwin	Mims	Waggoner
Carnes	Grainger	Nettles	Wallace
Carter	Gray (F)	O'Daniel	Warren
Casey	Gray (D)	Parker	Williams
Chesnut	Hale	Perloff	Wise
Connell	Hardin	Porter	Wynot
Coshatt	Harris	Pruitt	

—79

And the bill:

H. 1912. To authorize the Alabama Public School and College Authority to sell and issue \$7,500,000 aggregate principal amount of additional bonds to provide for the acquisition, construction, reconstruction, improvement, alteration and equipment of buildings and other facilities at The University of Alabama located in Tuscaloosa, Alabama, for public legal educational and allied purposes, including law research and revision, law enforcement training, public service, continuing legal education, and clinical law

training and for facilities for the Communications sciences; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion thereof.

Was taken up.

Messrs. Flippo, Manley, Pruitt, Hill, Stubbs, Bassett and Hardin offered the following amendment to the bill:

In the title insert immediately after the words and figures:

"To authorize the Alabama Public School and College Authority to sell and issue" the following words and figures:

\$17,500,000 aggregate principal amount of additional bonds, \$2,000,000 thereof to provide for capital improvements at Florence State University, 2,000,000 at Troy State University, 2,000,000 at Livingston State University, 2,000,000 at Jacksonville State University, 2,000,000 at Montevallo.

Also in Section 2 insert after the words: "to sell and issue its bonds in the aggregate principal amount of" the following:

\$17,500,000, of which \$2,000,000 shall be for capital improvements at Florence State University, including the acquisition, construction, reconstruction, improvement, alteration and equipment of buildings and other facilities at said Florence State University and 2,000,000 at Troy State University, 2,000,000 at Livingston State University, 2,000,000 at Jacksonville State University, 2,000,000 at Montevallo for the above named purposes, and

AMENDMENT TABLED

On motion of Mr. Drake, the amendment was tabled.

Yeas 41; Nays 23.

Yeas:

Mr. Speaker
Bank
Barron

Bowers
Brassell
Burgess

Carnes
Casey
Chesnut

Coshatt
Culver
Downing

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Drake	Hughes	Naramore	Therrell
Ellis	Jones (F)	Nettles	Timmons
Erdreich	King	Parker	Turner
Falkenburg	Lutz	Perloff	Turnham
Fite	McDonald	Robertson	Waggoner
Grainger	McMillan	Slate	Warren
Grey (D)	Mims	Stokes	Wood
Harris			

—41

Nays:

Messrs.:	Flippo	Jackson	Reynolds
Bassett	Goodwin	McBride	Smith (K)
Boutwell	Hale	McNair	Snell
Callahan	Hardin	Manley	Stewart
Cauthen	Hill	Mathews	Stubbs
Crowe	Hobbie	Merrill	Wise

—23

And the bill, H. 1912, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 6.

Yeas:

Mr. Speaker	Cottingham	Jackson	Reed (T)
Adams	Cross	Jones (F)	Reid (R)
Adwell	Culver	King	Reynolds
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	Smith (K)
Barkett	Drake	Lutz	Smith (P)
Barron	Easters	McDonald	Snell
Bassett	Edwards	McMillan	Stewart
Benton	Ellis	McNair	Stokes
Boles	Erdreich	Manley	Stubbs
Boutwell	Falkenburg	Mathews	Therrell
Bowers	Fite	May	Timmons
Brassell	Flippo	Meeks	Turner
Burgess	Goodwin	Merrill	Turnham
Callahan	Grainger	Mims	Waggoner
Carnes	Gray (F)	Nettles	Wallace
Carter	Grey (D)	O'Daniel	Warren
Casey	Hale	Parker	Williams
Cauthen	Harris	Perloff	Wood
Chesnut	Hill	Porter	Wynot
Coshatt	Hughes	Pruitt	

—83

Nays:

Messrs.:	Hardin	McBride	Slate
Crowe	Hobbie	Naramore	

—6

And the bill:

H. 1154. To amend further Sections 1, 2 and 3 of Act No. 47, H. 29, Regular Session 1951, (Acts 1951, p. 259) as last amended, which relates to the provision of educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Jackson	Reed (T)
Adams	Crowe	Jones (F)	Reid (R)
Adwell	Doss	King	Reynolds
Agee	Downing	Kinsey	Robertson
Bank	Drake	Lang	Slate
Barkett	Easters	Lutz	Smith (K)
Barron	Edwards	McBride	Smith (P)
Bassett	Ellis	McCluskey	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Flippo	McNair	Taylor
Bowers	Gafford	May	Therrell
Brassell	Gray (F)	Merrill	Timmons
Burgess	Grey (D)	Mims	Turner
Callahan	Hale	Nettles	Turnham
Carnes	Hardin	O'Daniel	Waggoner
Carter	Harris	Owens	Wallace
Casey	Headley	Parker	Warren
Cauthen	Hill	Perloff	Wise
Connell	Hobbie	Porter	Wood
Coshatt	Hughes	Pruitt	Wynot

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UNANIMOUS CONSENT GRANTED

At the request of Messrs. Bowers, Weeks, McMillan and Gafford unanimous consent was granted for their names to be added as co-sponsors to the bill, H. 1154.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:20 P.M. on August 21, 1973.

H. 287
H. 636
H. 638
H. 689
H. 776
H. 836
H. 858
H. 873
H. 893
H. 900
H. 1115
H. 1116
H. 1167

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H. 1266
H. 1267
H. 1269
H. 1328
H. 1379
H. 1393
H. 1424
H. 1446
H. 1451
H. 1453
H. 1477
H. 1479
H. 1518
H. 1528
H. 1531
H. 1565
H. 1569
H. 1574
H. 1602
H. 1603
H. 1604
H. 1605
H. 1606
H. 1610
H. 1614
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H. 1643
H. 1644
H. 1656
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H. 1666
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H. 1737
H. 1738
H. 1348
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H. 955
H. 973
H. 1006
H. 1042
H. 1183
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H. 303
H. 304
H. 305
H. 306
H. 444
H. 1170
H. 1509
H. 1599
H. 1624
H. J. R. 167
H. J. R. 168
H. J. R. 169
H. J. R. 170
H. J. R. 171
H. J. R. 173
H. J. R. 180
H. 301
H. 1360
H. 1691
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H. 993
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H. 782
H. 784
H. 785
H. 787
H. 803
H. 819
H. 860

H. 865
H. 1698
H. 1488

Delivered to the Secretary of State at 3:40 on August 21, 1973

H. 1344 (Constitutional Amendment)
H. 1440 (Constitutional Amendment)

JOHN W. PEMBERTON,
Clerk.

MOTION TO ADJOURN

Mr. Perloff offered the motion that the House adjourn until 10:00 o'clock noon, Thursday, August 23, 1973.

SUBSTITUTE MOTION ADOPTED

The substitute motion offered by Mr. Warren that the House adjourn until 12:00 o'clock noon, Thursday, August 23, 1973, was adopted.

ADJOURNMENT

The question was then on the motion as substituted, that the House adjourn until 12:00 o'clock noon, Thursday, August 23, 1973, and the motion was adopted.

THIRTY-SECOND DAY

House of Representatives
Montgomery, Alabama
Thursday, August 23, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Max Davis, Pastor, Northwood Hills Baptist Church, Northport, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Bowers	Coshatt	Ellis
Adams	Brassell	Cottingham	Erdreich
Adwell	Burgess	Crawford	Falkenburg
Agee	Callahan	Cross	Fite
Bank	Carnes	Crowe	Flippo
Barkett	Carter	Culver	Gafford
Barron	Casey	Doss	Goodwin
Bassett	Cauthen	Downing	Grainger
Benton	Chesnut	Drake	Gray (F)
Boles	Collins	Easters	Gray (D)
Boutwell	Connell	Edwards	Hale

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Hardin	McCorquodale	Porter	Taylor
Harris	McDonald	Pruitt	Therrell
Headley	McMillan	Reed (T)	Timmons
Hearn	McNair	Reid (R)	Turner
Hill	Mathews	Reynolds	Turnham
Hobbie	May	Roberts	Waggoner
Hughes	Meeks	Robertson	Waldrop
Jackson	Merrill	St. John	Wallace
Jones (F)	Mims	Slate	Warren
King	Naramore	Smith (K)	Weeks
Kinsey	Nettles	Smith (P)	Williams
Lang	O'Daniel	Snell	Wise
Lutz	Owens	Stewart	Wood
McBride	Parker	Stokes	Wynot
McCluskey	Perloff	Stubbs	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-first legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the thirty-first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirty-first legislative day was approved.

BILLS ON SECOND READING

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1075. To grant to any medical clinic board heretofore or hereafter organized under the provisions of Act No. 516 enacted at the 1955 Regular Session of the Legislature of Alabama, as amended, the power to borrow money for temporary use for any purpose or purposes for which bonds are authorized to be issued under said act and to issue interest-bearing bond anticipation notes in evidence of such temporary borrowing and the power (in connection with the issuance by it of bonds under the provisions of said Act No. 516) to use and apply such portion of the proceeds from the sale of such bonds as its Board of Directors deems advisable, but not exceeding 7-½ % of the principal amount thereof, for the purpose of creating a reserve or cushion for payment of the principal of and the interest on such bonds.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2246. To amend Section 2 and to further amend Sections 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of

1955, approved September 9, 1955 entitled "AN ACT TO PROVIDE A SEPARATE RETIREMENT AND RELIEF SYSTEM FOR CERTAIN OF THE PRESENTLY ACTIVE EMPLOYEES OF THE CITY OF BIRMINGHAM WHO ENTERED THE SERVICE OF THE POLICE DEPARTMENT OF SAID CITY PRIOR TO SEPTEMBER 19, 1939, AND TO WHOM IS APPLICABLE THE PENSION AND RELIEF SYSTEM PROVIDED BY ACT NO. 502 OF THE REGULAR SESSION OF THE LEGISLATURE OF 1923, AS REENACTED AND AMENDED: TO INCLUDE IN SAID SEPARATE SYSTEM DEPENDENTS OF SAID PRESENTLY ACTIVE EMPLOYEES: AND TO RENDER SAID ACT NO. 502 INAPPLICABLE TO SAID CERTAIN PRESENTLY ACTIVE EMPLOYEES AND THEIR DEPENDENTS".

H. 2147. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 300,000 according to the most recent federal decennial census.

H. 2259. To amend the Title and Sections 3, 10, 11, 14 and 16 of Act No. 2079 adopted at the 1971 Regular Session of the Legislature of Alabama, pertaining to municipal parking authorities incorporated in cities having a population of 300,000 or more according to the last or any subsequent federal census, which sections relate to the definitions set forth in said act, the powers of such authorities, the operation or leasing of parking facilities by such authorities, the bonds of such authorities and security therefor, so as to clarify and grant additional powers regarding the issuance of bonds, the security therefor, the leasing and sale of such facilities and other matters and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act as amended, notwithstanding subsequent changes in the population of the city authorizing its incorporation.

H. 2260. Relating to counties having a population of 500,000 inhabitants or more, according to the most recent federal decennial census; to provide that the provisions of the state-wide cosmetology Act, viz: Act No. 653, H. 489, 1957 Regular Session, as amended, shall apply to such counties and repealing all conflicting laws.

H. 2247. To amend Section 2, and to further amend Section 6 and 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Act of Alabama, 1966, Special Session Page 280 et seq.) Entitled "An Act To Provide A Separate Retirement And Relief System For Certain Of The Presently Active Employees Of The City Of Birmingham Who Entered The Service Of The Fire Department Of Said City Prior To September 19, 1939, And To Whom Is Applicable The Pension And Relief System Provided By Act No. 307 Of The 1943 Regular Session Of The Legislature Of Alabama, As Amended, And Act Number 22 Of The Second Special Session Of The Legislature Of Alabama Of 1956, To Include In Said Separate System Dependents Of Said Presently Active Employees; And To Render Said Act No. 307 And Act Number 22 Inapplicable To Said Certain Presently Active Employees And Their Dependents."

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1260. (With Amendment): To amend Section 6 of Act No. 350, S. 434, Regular Session 1971 (Acts 1971, p. 642), which act provides for city planning and zoning in incorporated cities having populations of not less than 70,000 nor more than 135,000, according to the most recent federal decennial census and creates a planning commission for such cities and prescribes the powers and duties of such commissions; so as to limit the powers of such commission with respect to rezoning certain areas.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 2056. (With Amendments): To provide for additional costs and fees to be charged by the Judges of Probate, Sheriffs, the Registers in Equity, the Deputy Registers of the Domestic Relations Division of the Circuit Courts and the Clerk of the County Courts, for the filing, recording, issuance and service of legal papers in all counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the last or any subsequent federal census; and providing for the disposition of such additional costs and fees.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2231. To amend Title 13, Section 125(75d), Code of Alabama, as amended relating to the payment of supplemental salaries by Montgomery County to deputy district attorneys in the fifteenth judicial circuit.

H. 2248. To amend Section 7 of No. 283, S. 220, Third Special Session 1971 (Acts 1971, p. 4557), an act providing for the incorporation of an authority in any municipality having a population of not less than 70,000 nor more than 135,000 for the purpose of promoting aviation and providing airport facilities for such cities and for the counties in which such cities lie; so as to provide further for the qualifications of the directors of the corporation.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 2253. (With Amendment): Relating to every city which has a population of not less than 125,000 or more than 133,000 inhabitants, according to the last decennial census; providing for an employee's retirement system for the City of Montgomery which shall be in lieu of any existing acts or ordinances relative to any retirement system for the employees of said city.

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 2084. (With Amendment): To amend Section 2 of an Act of the Legislature of Alabama approved Aug. 6, 1947, entitled

"An Act to authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Mobile County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and the designation of personnel to operate said Library, or to assist therein, and the employment of additional personnel for said purpose, and the payment of the salaries of such personnel,". (Local Acts 1947 p. 172)

Mr. Collins, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2229. To amend further Section 9 of Act No. 243, H. 278, First Special Session 1964 (Acts 1964, P. 326), as amended, which fixes the membership of the Board of Policemen's and Fire Fighters' Pensions of the City of Mobile, so as to provide for election of certain members of such board, to amend Sections 14 and 15 of Act No. 243, H. 278, First Special Session 1964 (Acts 1964, P. 326), as amended which provide for the retirement of members or former members of the Mobile Police and Fire Departments, so as to provide that except in the case of a merit raise, no member's salary shall be raised within six (6) months before retirement.

H. 2236. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the registration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 300,000 and not more than 600,000 according to the most recent federal decennial census.

H. 2235. To authorize and make provisions for the incorporation in any municipality having a population of not less than 175,000 nor more than 250,000 according to the last or any subsequent Federal Decennial Census of an Authority as a public corporation for the purpose of providing public transportation service in such county, upon the filing of an application with, and the authorization of such incorporation by, the governing body of any such municipality within which any such Authority proposes to furnish any such service; to provide for the amendment of the certificate of incorporation of any such Authority for certain purposes at any time, upon the authorization of each such amendment by the governing body of the municipality by which its incorporation was authorized; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance one or more transit systems; to confer on any such Authority the power of eminent domain; to authorize any such Authority to expend funds for the purchase or lease of materials, equipment supplies or other personal property involving less than \$2,000 without compliance with the provisions of Act No. 217 (1967 Special Session) as amended that might otherwise be applicable; to employ officers, employees and agents without regard to any pro-

visions of Act No. 217 (1967 Special Session), as amended, or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by it; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of the following: (a) any tax proceeds appropriated, allocated or made payable (in whole or in part) to such Authority by or pursuant to any act of the legislature of this state or by or pursuant to any ordinance, resolution or order of any county in which the Authority is authorized to furnish transportation service or any municipality located in such county and (b) the revenues of any one or more of the transit systems of such Authority, without regard to the system or systems with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which sum securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any transit system, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state, to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that each such Authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such Authority; to require the board of directors of any such authority to adopt an annual budget and to cause annual audits of the books and records of such authority to be made; to permit membership in labor organizations by employees of any such Authority; to provide that no employee of any such Authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; and to provide for the dissolution of any such Authority and the disposition of its property.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered

same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 298. (With Amendment): To amend Act No. 218 adopted at the 1967 Special Session of the Legislature respecting municipal public park and recreation boards, to exempt any corporation organized pursuant thereto from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, and from the laws of the State of Alabama requiring competitive bidding in connection with contracts, and to amend the definitions in the said act to include public restroom facilities, boats, rides and amusement facilities in the definition of "project" therein.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1861. Relating to Macon County, to amend Act No. 814, H. 1046, Regular Session 1969 (Acts 1969, p. 1465) so as to raise the fee for issuance of pistol permits by the sheriff and to further provide for the distribution and use of such fees.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1898. (With Amendment): Relating to counties having a population of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census; restricting the use of county equipment; charging the county commission with the responsibility for the proper use of county equipment and prescribing penalties for violation of any of the provisions of this Act.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2074. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

H. 2107. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

The above bill was read a second time at length as required by the Constitution.

H. 2172. To provide that any town of the state having a population of not less than 1,570 and not more than 1,625 according to the most recent federal decennial census shall have authority, after notice is provided, to re-

move or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such town to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

H. 2182. To authorize employees of any county having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census, and employees of any municipality within such county to join a labor union; to provide that no employer shall require such employee to abstain or refrain from membership as a condition of employment and to provide damages.

H. 2186. Relating to the boards of registrars in counties having populations of not less than 34,875 nor more than 36,000 according to the most recent federal decennial census, providing an additional expense allowance for the members of such boards.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2191. (With Amendment): Relating to any county having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census; to further regulate the compensation and expense allowances of each member of the county governing body.

H. 2207. (With Amendment): Relating to any county having a population of not less than 115,000 nor more than 150,000, according to the most recent federal decennial census; regulating further the compensation of each bailiff of the circuit court.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2212. To further amend Section 1 of Act No. 186, H. B. 241, First Special Session 1964 (Acts 1964, p. 252), as amended, which act regulates the pay of jurors in any county having a population of not less than 25,150 nor more than 26,500 inhabitants according to the most recent federal decennial census, so as to further regulate the compensation of such jurors.

H. 2223. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the registration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 24,000 and not more than 24,800 according to the most recent federal decennial census.

H. 2224. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the reg-

istration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 12,700 and not more than 13,100 according to the most recent federal decennial census.

H. 2225. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to pay from the county general fund the employer's share of the social security tax for the member of the board of equalization.

H. 2226. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

H. 2227. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in counties having less than 16,350 nor more than 16,650 population according to the most recent Federal Decennial Census.

H. 2230. To alter, rearrange and extend the corporate limits of the Town of Allgood, Alabama so as to annex certain territory to the town.

H. 2232. To abolish the Lauderdale County Court; to provide for the transfer of cases now pending in said Lauderdale County Court to the court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as the District Court of Lauderdale County, defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

H. 2233. Relating to any county having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; regulating further the clerk hire allowance for the tax assessor and tax collector.

H. 2237. Relating to Talladega County; exempting said county from the provisions of Act No. 403, H. 330, 1971 Regular Session (Acts of 1971, p. 689), requiring the registration and licensing of barbers and barber apprentices.

H. 2238. To relieve the probate judge of Talladega County of any liability concerning payments mistakenly made under the supposed authority of a repealed Act.

H. 2243. To amend and reenact Act No. 1729, H. 2523, Regular Session 1971 (Acts 1971, p. 2894), which act provides for a Personnel Appeals Board for employees of St. Clair County and certain cities therein; so as to eliminate the provisions for employees of said cities within said county; to provide that the city representative to such board be eliminated and in lieu thereof let the St. Clair Hospital Board appoint a member to said Personnel Board; to provide that a violation of this act shall constitute a misdemeanor for any person who discusses a pending case of said personnel board with any member of the board; to provide for compliance with orders of the Board and contempt punishment for failure to comply.

H. 2245. Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which bill relates to the Firemen's and Policemen's Pensions and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit for a fireman or policeman retiring on or after the effective date of this Amendatory Act.

H. 2249. Relating to counties having a population of not less than 30,000 nor more than 33,575 inhabitants according to the most recent federal decennial census; to validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

H. 2250. Relating to Geneva County; prohibiting the sale of alcoholic beverages in certain places.

H. 2251. Relating to counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, providing for the salary of the judge of the county court of any such counties.

H. 2252. Applicable to any county having a population of not less than 115,000 nor more than 150,000 according to the last federal decennial census; to exempt registered nurses employed in any state tuberculosis hospital in such county from participating in the state civil service system.

H. 2257. Relating to Chilton County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

H. 2261. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; further regulating the expense allowances of each member of the members of the county board of education.

H. 2262. Relating to counties having a population of not less than 35,000 nor more than 38,000 according to the most recent federal decennial census; to provide further for the conduct of elections in such counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

H. 2264. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, providing an additional expense allowance for the coroners of such counties.

H. 2265. To abolish the Board of Revenue of Walker County, establish in lieu thereof a Walker County Commission and provide for election of a chairman and members of the Walker County Commission, for the nomination of members thereof from districts herein prescribed and to prescribe the functions, jurisdiction, powers, and duties of such Walker County Commission and the chairman and members thereof.

H. 2271. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census, to form districts within their respective counties for the establishment and maintenance of a system for fighting and preventing fires, for the collection and disposal of trash, for supplying water services, for the collection and treatment and disposal of sewage, for the operation of emergency medical services including ambulance services, and for other similar local type services; and to provide for the administration of such services within such districts including the levy and collection of charges for such services.

H. 2272. To prescribe means, in addition to the giving of bail bonds, by which a person charged with an offense in counties having populations of not less than 65,500 nor more than 75,200, according to the most recent federal decennial census, regardless of his financial or social status, may give security for appearance in order to secure his release instead of being needlessly detained pending his appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest.

S. 704. Relating to DeKalb County; fixing the salaries of Judge of Probate Court, Circuit Clerk, Tax Assessor, Tax Collector and Judge of Inferior Court, and to provide payment of such salaries; and providing for a referendum thereon.

S. 803. Proposing an amendment to the Constitution of Alabama authorizing the levy and collection of a special property tax and the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas, and other recreational purposes.

The above bill was read a second time at length as required by the Constitution.

S. 804. To require the county commission or like governing body of Tuscaloosa County to call an election to determine the sentiment of the voters of the county: (1) relative to levying additional ad valorem tax for developing parks and multi-recreation areas or facilities, as authorized by the amendment to the Constitution of 1901 proposed by an Act of the 1973 Regular Session, and (2) relative to the incurring of a debt and the issuance of bonds as authorized in such amendment.

S. 809. To amend Section 1 of Act No. 1737, H. 2566, Regular Session 1971 (Acts 1971, p. 2902), entitled: "An Act to alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to in-

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clude within the corporate limits of said town all lands lying within the lands hereinafter described," so as to correct certain discrepancies in the description of the boundary lines.

S. 810. To amend Section 8 of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by increasing the maximum annual compensation allowed to secretarial, stenographic and clerical assistants and providing for the positions of Investigators for the Public Defender Office and setting the maximum annual compensation therefor.

S. 812. Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

S. 816. Applicable to Conecuh County; to provide that no claim presented to the Conecuh County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

S. 822. Relating to all counties having populations of not less than 16,350 nor more than 16,650, providing an allowance for secretarial assistance for the register in equity under certain conditions.

S. 830. To amend Act No. 61, S. 151, Regular Session 1971 (Acts 1971, p. 324), which act creates the Etowah County Solid Waste and Park and Recreation Authority, so as to remove the state senator from Etowah County from membership of such Authority at the end of current term of office of said senator.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 831. (With Amendment): Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; providing for the creation, establishment, operation, management and purchase of equipment of and for an animal shelter in such counties and for the appointment of a humane officer and necessary assistants.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1773. To provide that any legislative proposal affecting the Teachers' Retirement System of Alabama or the Employees' Retirement System of Alabama be accompanied by an actuarial estimate of all future contributions required of the State or members of the Retirement Systems.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with

amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 622. (With Amendment): To further identify creditable years of service under the State Employees' Retirement System.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2081. To make a conditional appropriation to the Special Mental Health Fund from the State General Fund for each of the two fiscal years ending September 30, 1974, and September 30, 1975.

H. 2163. Appropriating \$125,000 per year for the next two years for the Institute for Occupational Health and Safety at Huntsville for operation and maintenance of such institution.

H. 1301. Further amending Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, as Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

H. 2100. To provide that all former Governors of the State of Alabama who shall have been partially or totally disabled while serving in that office shall receive monthly retirement pay out of the general fund in the state treasury.

H. 1375. To require the State Highway Department to participate in the salary of one Assistant to the County Engineer in each County upon application of the County Commission or other like governing body in an amount equal to fifty (50%) percent of the annual salary of such Assistant not to exceed Five Thousand (\$5,000.00) Dollars per annum and to establish qualifications for such Assistant to the County Engineer.

H. 15. To repeal Code of Alabama, Title 52, Section 437, which permits matriculation fees in high schools, as well as library, laboratory and shop work fees.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 16. (With Amendment): To amend Code of Alabama, Title 52, Section 142, so as to provide that no fees of any kind shall be collected from children attending any school under the supervision or control of any county or city board of education.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 427. To amend Section 1 of Act No. 470, S. B. 182, Regular Session 1969, (Acts 1969, v. 1, p. 912), which Act relates to the per diem travel

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allowance of state officers and employees traveling on official business for the state, so as to increase the maximum amount allowed each such person.

S. 358. To fix the annual compensation of the chief justice of the supreme court, associate justices of the supreme court, judges of the courts of appeal, and circuit court judges.

H. 1890. To create the Alabama Science & Technology Commission; to provide for the members thereof and to provide for terms, compensation, duties and powers thereof; and to appropriate funds.

H. 2201. To make a conditional appropriation to the Department of Agriculture and Industries.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1839 (With Amendment): Relating to circuit courts; authorizing the employment of confidential assistants to provide secretarial and other services for circuit judges in the state; prescribing the method of appointment, duties and compensation of said confidential assistants; providing for the purchase of equipment, etc.; and appropriating funds from the state treasury for such compensation and purchases of equipment.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 422. To provide for the incorporation of Alabama Judicial Building Authority as a public corporation for the purpose of acquiring, financing and leasing facilities designed primarily for use by the appellate courts of the State of Alabama; to provide the procedure for incorporation; to designate **the members, directors and officers** of the Authority; to provide for the powers of the Authority; to authorize the Authority to acquire, construct, operate and finance facilities designed primarily for use by the appellate court of the State in the City of Montgomery, Alabama; to confer on the Authority the power of eminent domain; to provide for the issuance by the Authority for its corporate purposes of interest bearing bonds not exceeding \$9,500,000 in aggregate principal amount, payable solely out of the revenues of the facilities of the authority; to provide that such bonds shall constitute negotiable instruments; to provide that bonds issued by the Authority shall not constitute or create a debt of the State; to provide for the refunding, by the issuance of bonds of the Authority, of bonds theretofore issued by it; to provide that bonds issued by the Authority may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper applications of its revenues and proceeds of such bonds, and by a non-foreclosable statutory mortgage lien on the facilities out of the revenues from which such bonds are payable; to provide for constructive notice of any such statutory mortgage lien; to provide for the use of proceeds of any bonds issued by the Authority; to provide for the investment, pending the need therefor, of the proceeds from the sale of the bonds of the Authority and any other moneys of the Authority not presently needed; to provide that any bonds issued by the Authority may be used as security for deposits and in-

vestment of public funds and fiduciary funds; to exempt the property and income of the Authority, and all bonds issued by it and the income therefrom and conveyances and leases to which the Authority is a party, from all taxation in the State, and to exempt the Authority from payment of certain charges to the judges of probate; to provide that any bonds of the Authority owned by a foreign corporation shall not constitute capital employed in the State for the purpose of determining liability for franchise and similar taxes; to provide that the State Treasurer shall be the treasurer of the Authority and the custodian of its funds; to authorize the conveyance to the Authority of land of the State located in the City of Montgomery; to authorize the lease by the Authority of its facilities to the State and to others; to authorize the lease by the State and its agencies of facilities from the Authority; to authorize the publication of notice of any resolution authorizing any bonds, pledges and covenants and to specify a limitation of time thereafter for actions or defenses respecting said bonds, pledges and covenants, and to provide for dissolution of the Authority and conveyance of its assets and properties to the State upon payment of said bonds; and to grant power and provide restrictions incidental to the performance of the foregoing.

H. 1186. To provide further for retirement of certain public employees; to authorize, provide for and regulate the awarding of prior service credit for part-time state employment to certain members of the state employees' retirement system; and to make an appropriation for the purpose of paying the employer's contribution toward retirement on the basis of such prior service credit.

Mr. Grainger, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2254. Applying to cities within the State of Alabama having a population of not less than 135,000, nor more than 185,000, according to the last or any subsequent Federal Decennial Census requiring that no off-premise malt or brewed beverage license shall be issued by the Alcoholic Beverage Control Board of the State of Alabama to an establishment within any such city unless the application therefor has been first approved by the City Council or other governing body of such city, to authorize the City Council or other governing body of such cities to adopt by ordinance such rules and regulations as it may deem necessary and desirable concerning the granting of such applications, to authorize the City Council or other governing bodies of such cities to prescribe by ordinance the type, nature, and design of retail establishments which may now or hereafter be authorized as an off-premise retail malt or brewed beverage license within any such city, and to authorize the City Council or other governing body of such cities to revoke or suspend an off-premise retail malt or brewed beverage license for cause after a public hearing.

H. 2244. To establish a salary commission for Madison County, Alabama, for the purpose of submitting recommendations as to the salary and compensation for elected officials of Madison County, Alabama; to provide for the appointment of the members of said commission and the duties thereof; to otherwise provide for the implementation of this Act; to repeal conflicting laws.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill

and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 2228. To authorize and provide for the collecting of a twenty-five cent application or issuance fee to be charged by Judges of Probate, License Commissioners, Directors of the County Departments of Revenue, or other like public officer performing like duties relating to the application or issuance of motor vehicle licenses, driver's licenses or permits, marriage licenses, and transfers of motor vehicle licenses in all counties having a population of not less than 15,650 nor more than 16,200, according to the last or any succeeding federal census, and, provided further, however, that no affidavit fee of twenty-five cents presently prescribed by law in said counties shall be collected for affidavits taken or required in the course of the application or issuance of licenses or transfers.

Mr. Hardin, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2204. To provide that access roads to regularly open tourist attractions selected as Natural Landmarks, National Historic Landmarks, or for the National Register of Historic Places by the United States Department of Interior be designated as state highways upon recommendation of the Alabama Historical Commission, with concurrence of the Highway Department and the Bureau of Publicity and Information and be brought up to state highway standards and maintained by the State.

S. 364. To further amend Section 8 of Title 8 of the Code of Alabama of 1940, as amended, which pertains to the Advisory Board of Conservation and Natural Resources; providing that two additional members be added to the Advisory Board of Conservation; providing that the semi-annual regular meetings of said Board be held at times designated by chairman of Board or the Commissioner of Conservation and Natural Resources; eliminating requirement that meetings of Board be held in offices of the Department of Conservation and Natural Resources; and eliminating the prohibition on more than two special meetings of Board per year.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 277. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

McDOWELL LEE,
Secretary.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E), due to illness.

At the request of Mr. Timmons, leave of absence was granted for Mr. Dill, due to illness.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Carnes, Wynot and Waldrop:

H. 2273. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; providing for no mandatory fees of any kind to be collected from children attending any school under the supervision or control of any county or city board of education.

Local Legislation No. 1.

By Mr. Waggoner (With Notice and Proof):

H. 2274. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Vestavia Hills, Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 2274:

LEGALS

A BILL
TO BE ENTITLED
AN ACT

To add to the land limits of the City of Vestavia Hills in Jefferson County, Alabama, by removing certain area now part of Jefferson County, Alabama, and adding same to the land limits of the City of Vestavia Hills, and to describe the area so removed from Jefferson County, Alabama, and so added to the City of Vestavia Hills.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Vestavia Hills in Jefferson County, Alabama, are altered, rearranged and extended to include within the corporate limits of said City the parcel of land hereinafter described, and the boundaries of Jefferson County, Alabama, are altered and rearranged to exclude from said County's jurisdiction and control the said parcel described as follows:

A portion of property embraced in a Survey of Waldrige Terrace, situated in Sections 30 and 31, Township 18 South, Range 2 West, Jefferson County, Alabama, as recorded in Map Book 14, Page 33, in the Office of the Judge of Probate of Jefferson County, Alabama, and being more particularly described as follows:

PARCEL 1: Begin at the NW corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2 West, and run in an easterly direction

along the northerly line of said SW $\frac{1}{4}$ or SW $\frac{1}{4}$ to the NE corner of Lot 26, in Block 3, according to said Survey of Waldrige Terrace; thence in a southerly direction along the westerly line of Lots 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16, in said Block 3, to the SW corner of said Lot 16, thence in an easterly direction along the southerly line of said Lot 16 and the prolongation thereof to the SW corner of Lot 4, in Block 5, of said survey; thence in an southerly direction along the westerly line of Lots 5 and 6, in said Block 5, to the SW corner of said Lot 6; thence in an easterly direction along the northerly line of Merryvale Road (formerly Washington Avenue) to the Old Montgomery Highway, in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 30; thence in a southwesterly and southeasterly direction along the Old Montgomery Highway to the intersection of said Old Montgomery Highway and Rose Avenue, in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, Township 18 South, Range 2 West; thence in a southwesterly direction along the southeasterly line of Lot 11, in Block 13, of said survey, to the SW corner of said Lot 11; thence in a northwesterly direction along the southwesterly direction along the southwesterly line of lots 11, 10, 9, 8, 7, 6, 5, and 4, in said Block 13, to Malibu Place (formerly Pine Street); thence in a northerly direction along Malibu Place to the SE corner of Lot 20, in Block 11, of said survey; thence in a westerly direction along the southerly line of said Lot 20 to the SW corner of same; thence in a northerly direction along the easterly line of Lots 20, 21, 22, 23, and 24, in said Block 11, to Pearl Avenue; thence in a westerly direction along Pearl Avenue to the westerly line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, Township 18 South, Range 2 West; thence in a northerly direction along the westerly line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 31 and the westerly line of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2 West, to the SW corner of Lot 4, in Block 9, of said survey; thence in an easterly direction along the southerly line of Lot 4, in said Block 9, and the southerly line of Lot 4, in Block 8, of said survey, to the SE corner of Lot 4, in said Block 8; thence in a northerly direction along the easterly line of Lots 4, 3, 2 and 1, in said Block 8, to Merryvale Road; thence in an easterly direction along Merryvale Road to the SE corner of Lot 14, in Block 2, of said survey; thence in a northerly direction along the easterly line of Lots 14, 15, 16, in said Block 2, to the NE corner of said Lot 16; thence in a westerly direction along the northerly line of said Lot 16 to the NW corner of same; thence in a northerly direction along the easterly line of Lots 10, 9, 8, 7, 6, 5, 4 and 3, in Block 2, of said survey, to the NE corner of said Lot 3; thence in a westerly direction along the northerly line of said Lot 3 to Post Oak Road (formerly Walnut Street); thence in a southerly direction along Post Oak Road to the SE corner of Lot 8 in Block 1, of said survey; thence in a westerly direction along the southerly line of said Lot 8 to the westerly line of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2 West; thence in a northerly direction along the westerly line of said SW $\frac{1}{4}$ or SW $\frac{1}{4}$ to the point of beginning.

PARCEL 2: A portion of Block 4, according to a Survey of Waldrige Terrace, lying in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2 West, Jefferson County, Alabama, as recorded in Map Book 14, Page 33, in the Office of the Judge of Probate of Jefferson County, Alabama, and being more particularly described as follows:

Begin at a point on the northerly line of Lot 13, in Block 4, according to said survey, said point being 105 feet west of the Old Montgomery Highway; thence run in a southerly direction along a line 105 feet from and parallel to the Old Montgomery Highway a distance of 390 feet to a point on Lot 7, in

Block 4, of said survey; thence in an easterly direction to said Old Montgomery Highway; thence in a northerly direction along said Old Montgomery Highway to the northerly line of Lot 13, in said Block 4; thence in a westerly direction along the northerly line of said Lot 13 to the point of beginning.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF JEFFERSON

On this 3rd day of August A. D. one-thousand nine hundred and 73 personally appeared before me, Charles E. Brown, a Notary Public in and for the County and State aforesaid Arthur P. Cook, who, being duly sworn according to law, declares that he is President of Sun Papers Inc., a newspaper published in the City of Homewood, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, will appear in The Shades Valley Sun on the following dates: August 1, 8, 22, and 15, 1973.

ARTHUR P. COOK.

Subscribed and sworn to before me this 3rd day of August A. D. 1973.

CHARLES E. BROWN,
Notary Public.

By Mr. Turnham:

H. 2275. Relating to counties having populations of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census, providing an additional expense allowance for members of the county board of education.

Local Legislation No. 1.

By Mr. Stubbs:

H. 2276. Relating to counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census, requiring all railroad operators operating in such counties to erect and maintain proper mechanical warning devices at all grade crossings in such counties.

Local Legislation No. 1.

By Messrs. Bassett and Hardin:

H. 2277. To apply only in counties having populations of not less than 24,900 nor more than 25,150, to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws.

Local Legislation No. 1.

By Mr. Goodwin:

H. 2278. To authorize the county governing body of counties having a population of not less than 23,750 nor more than 24,500, according to the most recent federal decennial census, to pay all dues, fees, and expenses in-

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curred by the Tax Assessors, Tax Collectors, or other like official by membership in their State organization.

Local Legislation No. 1.

By Mr. Goodwin:

H. 2279. To authorize the county governing body of counties having a population of not less than 45,500 nor more than 52,000, according to the most recent federal decennial census, to pay all dues, fees, and expenses incurred by the Tax Assessors, Tax Collectors, or other like official by membership in their State organization.

Local Legislation No. 1.

By Mr. McCluskey:

H. 2280. To amend further Sections 1, 5, 7, 8, 9, 10, 11 and 15, Title 29, Code of Alabama, 1940, to authorize the Alcoholic Beverage Control Board to establish "Agency Stores" in incorporated localities which do not exceed 1,000 population and are not within ten miles of existing state liquor stores and to provide for controls relating to the operation of such stores.

Local Government.

By Mr. Crowe:

H. 2281. To amend Act No. 47, 1955 General Acts, approved June 10, 1955, which relates to appropriation to the Department of Civil Defense for emergency disaster use and emergency powers operative during the existence of the state of Civil Defense emergency.

Ways and Means.

By Mr. McCluskey (With Notice and Proof):

H. 2282. To provide further for the procedure for redeeming lands sold for taxes in Talladega County; to transfer certain duties of the probate judge of said county to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 2282:

STATE OF ALABAMA
COUNTY OF TALLADEGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide further for the procedure for redeeming lands sold for taxes in Talladega County; to transfer certain duties of the probate judge of said

county to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The procedure for the redemption of lands sold for taxes in Talladega County shall be the same as provided in Code of Alabama 1940, Title 51, Chapter 14, Article 5, as amended, except that all such duties relating to tax sales and the redemption of land from tax sales as are required of and performed by the probate judge, shall be transferred to and perform by the tax collector, and the probate judge shall be relieved of all such duties.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall take effect on the first day of the month next following the date of its enactment, but it shall not affect proceedings that were begun before such date.

STATE OF ALABAMA TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County Mrs. Joyce Dillard, who being duly sworn according to law deposes and says that she is the Bookkeeper of the Sylacauga Advance, a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: August 2, 9, 16, and 23, 1973.

MRS. JOYCE DILLARD

Subscribed and sworn to before me this 23rd day of August, 1973.

H. C. KROMER, JR.,
Notary Public.

By Mr. Bank:

H. 2283. To provide for and regulate the salaries of the Governor and the members of the Governor's cabinet; and to repeal Act No. 565, H. 964, 1957 Regular Session (Acts 1957 v. 2, p. 785), and any other laws or part of laws in conflict with the provisions of this act.

Ways and Means.

By Messrs. Smith (P) and McCluskey:

H. 2284. Relating to counties having populations of not less than 65,000 inhabitants nor more than 68,000 inhabitants according to the last or any subsequent federal decennial census; to levy a pistol permit fee in such counties.

Local Legislation No. 1.

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By Mr. Collins:

H. 2285. To authorize the county governing body of counties having a population of not less than 300,000 nor more than 600,000, according to the most recent federal decennial census, to pay all dues, fees, and expenses incurred by the Tax Assessors, Tax Collectors, or other like official by membership in their State organization.

Local Legislation No. 3.

By Messrs. Connell and Crawford (With Notice and Proof):

H. 2286. To amend Section 12 (a) of Act No. 630, S. B. 537 and Act No. 509, H. B. 699, Regular Session of the Legislature of Alabama, 1969, (Alabama Acts, 1969, p. 1150 and p. 971), an act creating and establishing the Houston County Court of Houston County, Alabama, in order to fix additional compensation or salary for the Clerk and Register of the Circuit Court and to fix the compensation or salary for the Clerk of the Juvenile Division of said Houston County Court and to provide for the additional office of Deputy Clerk of said Houston County Court, Juvenile Division, and the appointment, duties, terms of office, powers, authority and compensation of the holder of such office.

Local Legislation No. 1.

Notice and Proof H. 2286:

SYNOPSIS:

An amendment of the Act creating and establishing the Houston County Court of Houston County, Alabama in order to provide additional clerical assistance for the Court and secondly to raise the pay for the Judge's secretary and thirdly to increase the compensation paid to the Clerk and Register of the Circuit Court for their services as Clerk and Register of the Houston County Court.

A BILL
TO BE ENACTED
AN ACT

To amend Section 12 (a) of Act No. 630, S. B. 537 and Act No. 509, H. B. 699, Regular Session of the Legislature of Alabama, 1969, (Alabama Acts, 1969, p. 1150 and p. 971), an act creating and establishing the Houston County Court of Houston County, Alabama, in order to fix additional compensation or salary for the Clerk and Register of the Circuit Court and to fix the compensation or salary for the Clerk of the Juvenile Division of said Houston County Court and to provide for the additional office of Deputy Clerk of said Houston County Court, Juvenile Division, and the appointment, duties, terms of office, powers, authority and compensation of the holder of such office.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 12 (a) of Act No. 630, S. B. 537 and Act No. 509, H. B. 699, Regular Session of the Legislature of Alabama, 1969, (Alabama Acts, 1969, p. 1150 and p. 971) is hereby amended to read as follows:

"Section 12 (a) The Clerk and Register of the Circuit Court of Houston County shall serve as the Clerk and Register, respectively, of the Court herein

established; and the Clerk may appoint a Chief Deputy Clerk which shall be in addition to the Chief Deputy Clerk of the Circuit Court (and not the same person) who shall have all the power and authority that is herein given to the Clerk. The Judge shall appoint a Clerk and may appoint a Deputy Clerk of the Juvenile Division who shall also act as secretaries to the Judge. In addition to all bonds required to them, the Clerk shall make bond in the sum of \$10,000.00; the Register \$2,000.00 and the Clerk and Deputy Clerk of the Juvenile Division \$2,000.00. The Clerk of the Juvenile Division shall be paid a monthly salary of not less than \$525.00 nor more than \$650.00 and until the \$650.00 per month is paid, such monthly compensation may be raised by the Judge no more than one time each year and in an amount not to exceed 10 per cent of the monthly compensation. The Deputy Clerk of the Juvenile Division shall have all the power and authority that is herein given to the Clerk of the Juvenile Division. Such Deputy Clerk shall be paid a monthly salary of not less than \$425.00, which shall be raised in the same manner as the salaries of other county clerical employees. In addition to their regular compensation, the Clerk and Register each shall receive for such additional services the sum of \$4800.00 annually, which sum shall be payable in equal monthly installments. All salaries referred to in this Section 12 (a) shall be paid from the general fund of the county. Each shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the Court's business. Each shall keep a seal which shall be the official seal adopted by the Court."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a Law.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, on the following dates: July 24, 31, July 7, and 12 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 23rd day of August, 1973.

FRANKIE L. LAMB,
Notary Public.

By Mr. Timmons:

H. 2287. Providing for the conversion of certain time periods spent as a state employee but not as a member of the State Employees' Retirement

System or for the periods of state employment for which employee withdrew his contributions because he was no longer a state employee, into paid membership time in the state retirement system.

Ways and Means.

MOTION IN WRITING

Mr. Boles filed the following Motion in Writing.

Having voted on the prevailing side by which House Bill No. 995 passed, I now move the House to reconsider House Bill No. 995.

RESOLUTION

The following resolution was introduced:

By Mr. Turnham:

H. J. R. 221. COMMENDING THE AUBURN UNIVERSITY FOOTBALL TEAM FOR THEIR WINNING RECORD DURING THE 1972 FOOTBALL SEASON AND FOR WINNING THE GATOR BOWL GAME.

WHEREAS, the gallant and surprising 1972 Auburn football team fooled even the most knowledgeable football experts by finishing the season with a tremendous ten wins as against one loss record plus a smashing Gator Bowl victory over Big Eight and national ranked power Colorado; and

WHEREAS, this outstanding team and especially Head Coach Ralph "Shug" Jordan are to be commended for their "never say die" attitude which they displayed throughout the season. The team's tremendous and shocking upset victory over arch rival, University of Alabama, has gone in the record book as one of the greatest comeback victories in collegiate football history; and

WHEREAS, this football team displayed a tremendous defense exhibit ing both outstanding strength and outstanding speed. This tremendous defensive unit destroyed numerous high powered offensive teams during the course of the season and displayed outstanding teamwork; and

WHEREAS, the offensive team, guided by two outstanding young quarterbacks who sent powerful running backs plowing through gaping holes pushed out by powerful blocking backs and offensive linemen, performed extraordinary and produced many touchdowns for this high flying "War Eagle" team; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend our proud congratulations to the 1972 Auburn University football team and Head Coach Ralph "Shug" Jordan and his staff and that we wish Auburn University a most successful 1973 football season.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Coach Ralph "Shug" Jordan and Auburn University.

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Turnham to suspend the rules in order to bring up for adoption the resolution, H. J. R. 221, was lost.

The resolution, H. J. R. 221, was read and referred to the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 995. To amend Section 11 of Act No. 405 enacted at the 1967 Regular Session of the Legislature of Alabama (applicable to any county in the state having a population of 500,000 or more, according to the last or subsequent federal census), so as to allocate to the Board of Health of any such county (effective with the distribution required to be made on or before July 20, 1974) nine per cent (9%) of the first one-half share of proceeds from the taxes levied by said Act No. 405 over and above that portion allocated for the costs of collection, administration and enforcement and so as to increase (effective with the distribution required to be made on or before October 20, 1973) from twenty-two per cent (22%) to thirty-one per cent (31%) the portion of the total amount of the second one-half share of proceeds from the taxes levied by said Act No. 405 required to be paid to the Treasurer or other custodian of funds for the Board of Health of any such county.

Also:

H. 1646. Relating to counties having a population of 500,000 or more according to the last or any subsequent federal decennial census; to provide that in addition to all presently existing pistol permit fees there is hereby levied an additional pistol permit fee in the amount of Two Dollars and Fifty Cents (\$2.50); to provide that Two Dollars of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as the "Sheriff's Fund"; to provide for the use of said Sheriff's Fund; to provide that Fifty Cents (\$.50) of the said additional fee be paid into the County Treasury for the establishment and maintenance of a fund which is hereby designated and entitled as a "Legislative Fund"; to provide for the use of said Legislative Fund; to provide that the provisions of this Act shall be severable; and to repeal all laws and parts of laws in conflict with this Act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McCluskey, the rules were suspended in order to allow introduction of General Bills.

RESOLUTIONS

The following resolutions introduced on the thirty-first legislative day were read by title, pursuant to Joint Rule 12:

H. J. R. 213. COMMENDING JOHN RUSSELL PARRISH.

Also:

H. J. R. 214. COMMENDING COLBERT COUNTY HIGH SCHOOL ON ITS OUTSTANDING SPORTS RECORD.

Also:

H. J. R. 215. HONORING COMPANY C, FIRST BATTALLION, 20th SPECIAL FORCES GROUP (AIRBORNE) OF THE FIRST SPECIAL FORCES.

Also:

H. J. R. 217. COMMENDING THOMAS HAROLD ESPY FOR HIS WORK WITH THE STATE HIGHWAY DEPARTMENT.

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

BILLS ON THIRD READING

And the bill:

S. 312. To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in the City of Fairhope; authorizing the city council to create a parking authority or parking committee, and providing for its membership, authority and duties.

Was taken up.

S. 312 POSTPONED

On motion of Mr. Benton, the bill, S. 312, was postponed to the thirty-third legislative day.

And the bill:

H. 2114. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

Was taken up.

H. 2114 POSTPONED

On motion of Mr. Smith (P), the bill, H. 2114, was postponed to the thirty-third legislative day.

And the bill:

H. 2150. Relating to counties having populations of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census, allowing the county governing bodies of such counties to pay one deputy sheriff from either the public highway and traffic funds or the general

funds of such counties, a salary in an amount not to exceed \$500.00 per month payable to such deputy sheriffs, said salary additional to any other now payable.

Was taken up.

Mr. Edwards offered the following amendment to the bill:

Amend Section 1 of House Bill 2150 by striking the words "are hereby authorized to" and substituting in lieu thereof the word "may".

Further amend in title and Section 1 of House Bill 2150 by striking the figure "\$500.00" and substituting in lieu thereof the figure "\$400".

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2150. Relating to counties having populations of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census, allowing the county governing bodies of such counties to pay one deputy sheriff from either the public highway and traffic funds or the general funds of such counties, a salary in an amount not to exceed \$400.00 per month payable to such deputy sheriffs, said salary additional to any other now payable.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Adwell	Bank	Barron
Adams	Agee	Barkett	Bassett

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Benton	Easters	Lang	Robertson
Boles	Edwards	Lutz	St. John
Boutwell	Ellis	McCluskey	Slate
Bowers	Erdreich	McCorquodale	Smith (K)
Brassell	Falkenburg	McDonald	Smith (P)
Callahan	Fite	McMillan	Snell
Carnes	Flippo	Mathews	Stewart
Carter	Gafford	May	Stokes
Casey	Goodwin	Merrill	Stubbs
Cauthen	Grainger	Mims	Taylor
Chesnut	Gray (F)	Naramore	Therrell
Collins	Hale	Nettles	Timmons
Connell	Hardin	O'Daniel	Turner
Coshatt	Headley	Owens	Turnham
Cottingham	Hearn	Perloff	Waggoner
Crawford	Hill	Porter	Waldrop
Cross	Hobbie	Pruitt	Warren
Crowe	Hughes	Reed (T)	Williams
Culver	Jackson	Reid (R)	Wise
Doss	King	Reynolds	Wood
Downing	Kinsey	Roberts	Wynot
Drake			

—93

And the bill:

H. 2097. To authorize the City of Vestavia Hills, Alabama to pay Roland L. Paulin for certain expenses as a result of an injury to his son, Mark Paulin.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 1568. To authorize the Alabama Alcoholic Beverage Control Board in its discretion to grant to any civic center authority to which a liquor license is issued under the provisions of Act No. 409 of the 1971 Regular Session of the Alabama Legislature a permit to sell or dispense in any part of its civic center for consumption therein draft or keg beer or malt beverages; and to repeal all laws or parts of laws which conflict with the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 1658. Relating to counties having a population of 400,000 or more; repealing Act No. 661, H. 978, Regular Session 1951, (Acts 1951, p. 1125) which created a County Barbers Commission for such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Benton	Casey	Cross
Adams	Boles	Cauthen	Crowe
Adwell	Boutwell	Chesnut	Culver
Agee	Bowers	Collins	Doss
Bank	Brassell	Connell	Downing
Barkett	Callahan	Coshatt	Drake
Barron	Carnes	Cottingham	Easters
Bassett	Carter	Crawford	Edwards

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Ellis	Jackson	O'Daniel	Stewart
Erdreich	King	Owens	Stokes
Falkenburg	Kinsey	Perloff	Stubbs
Fite	Lang	Porter	Taylor
Flippo	Lutz	Pruitt	Therrell
Gafford	McCluskey	Reed (T)	Timmons
Goodwin	McCorquodale	Reid (R)	Turner
Grainger	McDonald	Reynolds	Turnham
Gray (F)	McMillan	Roberts	Waggoner
Hale	Mathews	Robertson	Waldrop
Hardin	May	St. John	Warren
Headley	Merrill	Slate	Williams
Hearn	Mims	Smith (K)	Wise
Hill	Naramore	Smith (P)	Wood
Hobbie	Nettles	Snell	Wynot
Hughes			

—93

And the bill:

H. 2109. To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965, to increase the Law Library Tax in each civil or quasi civil action at law, hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, from one dollar (\$1.00) to two dollars (\$2.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty-five cents (\$.25) to fifty cents (\$.50), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (\$.10) to twenty cents (\$.20); in each criminal case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, there shall be taxed as cost a Law Library Tax in the sum of fifty cents (\$.50), said increases to be effective on the day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cottingham	Erdreich
Adams	Brassell	Crawford	Falkenburg
Adwell	Callahan	Cross	Fite
Agee	Carnes	Crowe	Flippo
Bank	Carter	Culver	Gafford
Barkett	Casey	Doss	Goodwin
Barron	Cauthen	Downing	Grainger
Bassett	Chesnut	Drake	Gray (F)
Benton	Collins	Easters	Hale
Boles	Connell	Edwards	Hardin
Boutwell	Coshatt	Ellis	Headley

Hearn	Mathews	Reid (R)	Taylor
Hill	May	Reynolds	Therrell
Hobbie	Merrill	Roberts	Timmons
Hughes	Mims	Robertson	Turner
Jackson	Naramore	St. John	Turnham
King	Nettles	Slate	Waggoner
Kinsey	O'Daniel	Smith (K)	Waldrop
Lang	Owens	Smith (P)	Warren
Lutz	Perloff	Snell	Williams
McCluskey	Porter	Stewart	Wise
McCorquodale	Pruitt	Stokes	Wood
McDonald	Reed (T)	Stubbs	Wynot
McMillan			

—93

And the bill:

H. 2120. Relating to all counties having populations of 600,000 or more according to the most recent federal decennial census; providing for the conversion of certain time spent in the employment of a county but not as a member of the county's retirement system, into paid membership time in the retirement system for county employees and officers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2142. To submit to the qualified electors of Alabama an amendment to the Constitution of said State providing that the Board of Health of Jefferson County, Alabama shall have the power to supplement the pension or benefit payable from, or out of, a pension system of which the Board of Health officers or employees are members, provided that such supplement is

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based upon an increase in the cost of living occurring since establishment of the rate or amount of such pension, or benefit; and provided, further, that such power shall be subject to such limitations and restrictions as the Legislature may impose from time to time.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2155. To further amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Callahan	Culver	Grainger
Adams	Carnes	Doss	Gray (F)
Adwell	Carter	Downing	Hale
Agee	Casey	Drake	Hardin
Bank	Cauthen	Easters	Headley
Barkett	Chesnut	Edwards	Hearn
Barron	Collins	Ellis	Hill
Bassett	Connell	Erdreich	Hobbie
Benton	Coshatt	Falkenburg	Hughes
Boles	Cottingham	Fite	Jackson
Boutwell	Crawford	Flippo	King
Bowers	Cross	Gafford	Kinsey
Brassell	Crowe	Goodwin	Lang

Lutz	O'Daniel	St. John	Timmons
McCluskey	Owens	Slate	Turner
McCorquodale	Perloff	Smith (K)	Turnham
McDonald	Porter	Smith (P)	Waggoner
McMillan	Pruitt	Snell	Waldrop
Mathews	Reed (T)	Stewart	Warren
May	Reid (R)	Stokes	Williams
Merrill	Reynolds	Stubbs	Wise
Mims	Roberts	Taylor	Wood
Naramore	Robertson	Therrell	Wynot
Nettles			

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And the bill:

H. 2214. (With Substitute): To accord relief to C. D. Chiles by providing as follows: That the Pension Board, established by Act No. 929 of the Regular Session of the Legislature of 1951 (Alabama Acts, 1951, page 1579), herein called "The Pension Act," shall reconsider its decision rendered on or about February 9, 1959, denying to Chiles the extra ordinary disability benefit provided for by Section 14 of the Pension Act, claimed by him, for service-connected disability, and granting to him the ordinary disability benefit, provided by said Section 14; providing that the Board on such reconsideration shall consider the following evidence: (1) the opinion of the city physician and any other medical testimony available; and (2) any other available evidence which is material to the question of whether Chiles was entitled to the extraordinary disability allowance; to provide that if, after considering such evidence, the Board determines that Chiles was entitled to the extraordinary disability benefit, then the following relief shall be accorded Chiles: commencing with the first calendar month following the date of such determination by the Board, there shall be paid to Chiles from the Pension Fund established by the Pension Act the extraordinary disability benefit, provided for by Section 14 of the Pension Act, instead of the ordinary disability benefit, provided for by said Section; and there shall be paid retroactively for the period stated below to Chiles such extraordinary disability benefit, instead of the ordinary disability benefit, which retroactive payment shall be for the period between the date whereon payment of such ordinary disability benefit began and the first day of the first calendar month next succeeding the date whereon the Board makes such determination, which retroactive payment shall be accomplished by paying to Chiles for each month during the period next above mentioned an amount equal to the difference between the monthly benefit Chiles actually received as the ordinary disability benefit during said period and the amount which the said Chiles would have received as the extraordinary disability benefit, provided for by Section 14 of the Pension Act had Chiles been receiving the extraordinary benefit during all of said period.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 2, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To accord relief to C. D. Chiles by providing as follows:

That the Pension Board, established by Act No. 929 of the Regular Ses-

sion of the Legislature of 1951 (Alabama Acts, 1951, page 1579), herein called "The Pension Act", shall reconsider its decision rendered on or about February 9, 1959, denying to Chiles the extraordinary disability benefit provided for by Section 14 of the Pension Act, claimed by him, for service-connected disability, and granting to him the ordinary disability benefit, provided by said Section 14; providing that the board on such reconsideration shall consider the following evidence: (1) the opinion of the city physician and any other medical testimony available; and (2) any other available evidence which is material to the question of whether Chiles was entitled to the extraordinary disability allowance; to provide that if, after considering such evidence, the board determines that Chiles was entitled to the extraordinary disability benefit, then the following relief shall be accorded Chiles: commencing with the first calendar month following the date of such determination by the board, there shall be paid to Chiles from the pension fund established by the Pension Act the extraordinary disability benefit, provided for by Section 14 of the Pension Act, instead of the ordinary disability benefit, provided for by said section; and there shall be paid retroactively for the period stated below to Chiles such extraordinary disability benefit, instead of the ordinary disability benefit, which retroactive payment shall be for the period between the date whereon payment of such ordinary disability benefit began and the first day of the first calendar month next succeeding the date whereon the board makes such determination, which retroactive payment shall be accomplished by paying to Chiles for each month during the period next above mentioned an amount equal to the difference between the monthly benefit Chiles actually received as the ordinary disability benefit during said period and the amount which the said Chiles would have received as the Extraordinary disability benefit, provided for by Section 14 of the Pension Act had Chiles been receiving the extraordinary benefit during all of said period.

Be It Enacted by the Legislature of Alabama:

Section 1. PURPOSE OF THIS ACT. The purpose of this Act is to provide for the Board to reconsider its decision denying to Chiles the extraordinary disability benefit and to provide that if the Board determines he was entitled to the extraordinary disability benefit then such benefit shall be paid to him as provided for herein. Unless the authority provided for herein is granted to the Board, the Board does not have the jurisdiction, or power, to correct an injustice to Chiles, if the denial of the extraordinary disability benefit to Chiles was an injustice. The Legislature has considered medical testimony, regarding Chiles' disability, which evidence demonstrates that justice requires that the Board reconsider whether or not Chiles was entitled to the extraordinary disability allowances. It is the intention of the Legislature that the Board shall make its own, independent finding as to whether Chiles was entitled to the extraordinary disability benefit; and the purpose of this act is to vest the Pension Board with the authority to make such determination. This Act shall be accorded a construction in furtherance of the purpose hereby declared.

Section 2. DEFINITIONS. As herein used, the following words and terms have the meanings hereby ascribed to them: "the Pension Act" means Act No. 929 of the Regular Session of the Legislature of Alabama of 1951 (Alabama Acts of 1951, p. 1579, et seq.); "Section 14" means Section 14 of the Pension Act; "ordinary disability benefit" means the ordinary disability benefit provided for by Section 14; "extraordinary disability benefit" means the extraordinary disability benefit provided for by Section 14; "the Board"

means the Board of Managers of the pension system established by the Pension Act; "retroactive period" means the period commencing with the date whereon Chiles received the first payment of the ordinary disability benefit granted him by the Board and ending on the date whereon the Board determines that Chiles was entitled to the extraordinary disability benefit, if the Board so determines; "the pension system" means the pension system established by the Pension Act; and "the pension fund" means the fund of the system; and "Chiles" means C. D. Chiles.

Section 3. RECONSIDERATION OF CHILES' DISABILITY. The Board shall reconsider its decision heretofore rendered, on or about February 9, 1959, denying to Chiles the extraordinary disability benefit and granting to him the ordinary disability benefit. In such reconsideration, the Board shall consider the following evidence: (1) the opinion of the City physician, and any other relevant medical testimony available; and (2) any other available evidence which is material to the question of whether Chiles was entitled to the extraordinary disability benefit. The Board shall begin its reconsideration within ninety days from the effective date of this Act and shall render its decision at a time convenient to the Board. The hearing on such question may be continued from time to time, as the Board shall determine is in the interest of justice.

Section 4. RELIEF FOR CHILES. (a) This Section 4 shall not apply unless the Board determines that Chiles was entitled to the extraordinary disability allowance.

(b) If the Board determines that Chiles was entitled to the extraordinary disability benefit, then there shall be paid to Chiles from the pension fund the extraordinary disability benefit, as provided for in this subsection (b). Commencing on the first day of the first calendar month next following such determination, there shall be paid to Chiles from the pension fund the extraordinary disability benefit instead of the ordinary disability benefit granted him on or about February 9, 1959; and such payment shall continue from month to month thereafter, subject to the provisions of said Section 14 of the Pension Act governing the extraordinary disability benefit; and such extraordinary benefit shall be paid to Chiles retroactively for each month during the retroactive period, which retroactive payment shall be accomplished by paying to Chiles the difference between the sum of the ordinary disability benefits Chiles actually received during the retroactive period and the sum of the extraordinary disability benefits Chiles would have received had he been receiving the extraordinary disability benefits during all of the retroactive period.

Section 5. EFFECTIVE DATE. This Act shall become effective on its approval by the Governor or on its otherwise becoming a law.

And the substitute was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett

Barron
Bassett
Benton
Boles
Boutwell
Bowers

Brassell
Callahan
Carnes
Carter
Casey
Cauthen

Chesnut
Collins
Connell
Coshatt
Cottingham
Crawford

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Cross	Hardin	Merrill	Smith (P)
Crowe	Headley	Mims	Snell
Culver	Hearn	Naramore	Stewart
Doss	Hill	Nettles	Stokes
Downing	Hobbie	O'Daniel	Stubbs
Drake	Hughes	Owens	Taylor
Easters	Jackson	Perloff	Therrell
Edwards	King	Porter	Timmons
Ellis	Kinsey	Pruitt	Turner
Erdreich	Lang	Reed (T)	Turnham
Falkenburg	Lutz	Reid (R)	Waggoner
Fite	McCluskey	Reynolds	Waldrop
Flippo	McCorquodale	Roberts	Warren
Gafford	McDonald	Robertson	Williams
Goodwin	McMillan	St. John	Wise
Grainger	Mathews	Slate	Wood
Gray (F)	May	Smith (K)	Wynot
Hale			

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And the bill, H. 2214 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

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And the bill:

S. 75. To amend Act No. 803, H. 1258 of the Regular Session of 1961 (Acts of 1961, p. 1166), an Act which applies in counties having a population of 500,000 or more inhabitants, according to the last or any subsequent federal census, wherein the use of voting machines has been or shall be authorized, amending such Act so as to provide further for the time and manner of commencing contest of elections and providing for the breaking of the seal on voting machines and the making of records of the count thereof when such machines are needed for subsequent elections.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

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And the bill:

H. 2203. To provide for the salary of the chief of police for cities having populations of not less than 70,000 nor more than 135,000 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Flippo	McCorquodale
Adams	Collins	Gafford	McDonald
Adwell	Connell	Goodwin	McMillan
Agee	Coshatt	Grainger	Mathews
Bank	Cottingham	Gray (F)	May
Barkett	Crawford	Hale	Merrill
Barron	Cross	Hardin	Mims
Bassett	Crowe	Headley	Naramore
Benton	Culver	Hearn	Nettles
Boles	Doss	Hill	O'Daniel
Boutwell	Downing	Hobbie	Owens
Bowers	Drake	Hughes	Perloff
Brassell	Easters	Jackson	Porter
Callahan	Edwards	King	Pruitt
Carnes	Ellis	Kinsey	Reed (T)
Carter	Erdreich	Lang	Reid (R)
Casey	Falkenburg	Lutz	Reynolds
Cauthen	Fite	McCluskey	Roberts

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Robertson	Stewart	Timmons	Warren
St. John	Stokes	Turner	Williams
Slate	Stubbs	Turnham	Wise
Smith (K)	Taylor	Waggoner	Wood
Smith (P)	Therrell	Waldrop	Wynot
Snell			

—93

And the bill:

H. 2166. Relating to circuit court jurisdiction in Montgomery County, so as to raise the age of a dependent child, a neglected child, and a juvenile child from sixteen to eighteen years, and to place such persons eighteen years or younger within the jurisdiction of the circuit court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2164. Relating to Montgomery County; authorizing the establishment of branch banks.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Barron	Brassell	Chesnut
Adams	Bassett	Callahan	Collins
Adwell	Benton	Carnes	Connell
Agee	Boles	Carter	Coshatt
Bank	Boutwell	Casey	Cottingham
Barkett	Bowers	Cauthen	Crawford

Cross	Hardin	Merrill	Smith (P)
Crowe	Headley	Mims	Snell
Culver	Hearn	Naramore	Stewart
Doss	Hill	Nettles	Stokes
Downing	Hobbie	O'Daniel	Stubbs
Drake	Hughes	Owens	Taylor
Easters	Jackson	Perloff	Therrell
Edwards	King	Porter	Timmons
Ellis	Kinsey	Pruitt	Turner
Erdreich	Lang	Reed (T)	Turnham
Falkenburg	Lutz	Reid (R)	Waggoner
Fite	McCluskey	Reynolds	Waldrop
Flippo	McCorquodale	Roberts	Warren
Gafford	McDonald	Robertson	Williams
Goodwin	McMillan	St. John	Wise
Grainger	Mathews	Slate	Wood
Gray (F)	May	Smith (K)	Wynot
Hale			

—93

And the bill:

H. 2156. To amend Section 1 of Act No. 2280, S. 428, Regular Session 1971 (Acts 1971, p. 3671), which provides for the composition of the personnel board of counties with a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal census, so as to further provide for the composition of such board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2149. To provide for and regulate the selection and empaneling of

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alternate jurors for the trial of any case triable by jury in the circuit courts of the fifteenth judicial circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 1638. Relating to the municipal courts of cities having a population of not less than 135,000 nor more than 155,000; allowing the judge of such court to refer persons appearing before him, whom he believes to be non compos mentis, to the probate judge of the county in which said city lies for the purpose of a sanity examination.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cross	Flippo
Adams	Callahan	Crowe	Gafford
Adwell	Carnes	Culver	Goodwin
Agee	Carter	Doss	Grainger
Bank	Casey	Downing	Gray (F)
Barkett	Cauthen	Drake	Hale
Barron	Chesnut	Easters	Hardin
Bassett	Collins	Edwards	Headley
Benton	Connell	Ellis	Hearn
Boles	Coshatt	Erdreich	Hill
Boutwell	Cottingham	Falkenburg	Hobbie
Bowers	Crawford	Fite	Hughes

Jackson	Mims	Roberts	Therrell
King	Namore	Robertson	Timmons
Kinsey	Nettles	St. John	Turner
Lang	O'Daniel	Slate	Turnham
Lutz	Owens	Smith (K)	Waggoner
McCluskey	Perloff	Smith (P)	Waldrop
McCorquodale	Porter	Snell	Warren
McDonald	Pruitt	Stewart	Williams
McMillan	Reed (T)	Stokes	Wise
Mathews	Reid (R)	Stubbs	Wood
May	Reynolds	Taylor	Wynot
Merrill			

—93

And the bill:

H. 76. (With Substitute) (With Amendments): Relating to counties having a population of not less than 150,000 nor more than 180,000; prohibiting any elected official, legislator, member of county and municipal boards or commissions, and any appointed member of any county or municipal board, agency, authority or other subdivision appointed by or to serve under the county governing body or municipal governing body, and certain of their relatives, from doing any business with the county or any of its municipalities and prescribing penalties for violating any of the provisions of this Act.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 4, said Committee substitute being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To establish a county ethics commission for all counties having a population of not less than 150,000 nor more than 180,000; to provide a county ethics law which requires that certain statements of economic interest be filed by public officials and which prohibits certain practices by public officials which conflict with a proper safeguarding of the public trust. Violations thereof shall be considered a felony.

Be It Enacted by the Legislature of Alabama:

Section 1. DEFINITIONS.

(a) "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, and any legal entity;

(b) "Business with which he is associated" means any business of which the person or a member of his household is a director, officer, owner, employee, or holder of stock worth \$1,000 or more at fair market value, and any business which is a client of the person;

(c) "Candidate for public office" means any person who has filed a declaration of candidacy or a petition to appear on the ballot for election as a public official, and any person who has been nominated for appointment to serve as a public official;

(d) "Commission" means a county ethics commission;

(e) "Public official" means any elected or appointed official or employee of a county or municipality, or other political subdivision, any legislator, or any person who volunteers to serve in a fiduciary public capacity.

(f) "Legislator" shall mean any member of the legislature that represents any portion of all counties having a population of not less than 150,000 nor more than 180,000.

Section 2. The provisions of this act shall apply only to counties having a population of not less than 150,000 nor more than 180,000 according to the most recent federal decennial census.

Section 3. No public official shall use his official position or office to obtain financial gain for himself, any member of his household, or any business with which he or a member of his household is associated.

Section 4. No person shall offer or give to a public official or a member of a public official's household and no public official shall solicit or receive anything of value, including a gift, favor or service or a promise of future employment, based on any understanding that such public official's vote, official actions or judgement would be influenced thereby, or where it could reasonably be inferred that the thing of value would influence the public official in the discharge of his duties, or as a reward, or which would cause the total value of such things received from the same person not a member of such public official's household to exceed \$100 during any single calendar year; with the exception of reasonable food, drink, transportation and entertainment received while on legislative function or as a personal guest of some individual.

Section 5. No person shall offer or pay to a public official and no public official shall solicit or receive any money in addition to that received by the public official in his official capacity for legislative advice or assistance, or for advice or assistance given in the course of the public official's employment or relating to his employment.

Section 6. No public official shall use or disclose confidential information gained in the course of or by reason of his official position or activities in any way that could result in financial gain for himself or for any other person.

Section 7. No legislator shall accept assignment to or serve on a committee the jurisdiction of which consists of matters of other than a de minimus nature in which he or a member of his household or a business with which he is associated has a financial interest. No legislative employee shall accept assignment to, be employed by, or perform services for a legislative committee the jurisdiction of which consists of matters of other than a de minimus nature in which he or a member of his household or a business with which he is associated has a financial interest. If such interest occurs after appointment, a legislator will refrain from voting on any directly related issue.

Section 8. Unless expressly provided otherwise by law, no person shall serve as a member or employee of any commission that regulates any business with which he is associated.

Section 9. Any public official who, in the discharge of his official duties, would be required to take an action or make a decision that would affect

directly or indirectly his financial interests or those of a member of his household, or a business with which he is associated, shall instead take the following actions:

(a) He shall prepare a written statement describing the matter requiring action or decision, and the nature of his potential conflict of interest with respect to such action or decision;

(b) He shall cause copies of such statement to be delivered to the county ethics commission and to his immediate superior, if any;

(c) If he is a legislator he shall deliver a copy of such statement to the presiding officer, and, upon request, shall be excused from votes, deliberations, and other action on the matter on which a potential conflict exists; and

(d) If he is not a legislator, his superior, if any, shall assign the matter to another employee who does not have a potential conflict of interest. If he has no immediate superior, he shall take such steps as the county ethics commission shall prescribe through rules or regulations to remove himself from influence over actions and decisions on the matter on which the potential conflict exists.

Section 10. No public official and no business with which a public official is associated shall represent a client before any county or municipal regulatory department or agency for a fee.

Section 11. No public official and no business with which a public official is associated shall enter into any contract with a county or municipal agency which is to be paid in whole or in part out of county or municipal funds unless the contract has been awarded through a process of public notice and competitive bidding.

Section 12. No person shall offer or give to a member or employee of a county or municipal regulatory commission that regulates a business with which such person is associated, and no member or employee of a county or municipal regulatory commission shall solicit or accept from any such person, anything of value, including a promise of future employment or a favor or service, while the member or employee is associated with the regulatory commission. No former member or employee of a county or municipal regulatory commission shall serve as a lobbyist or represent clients before such regulatory commission for a period of three years after he leaves such regulatory commission.

Section 13. Within 10 days after he becomes a candidate for public office, each candidate shall file a statement of economic interests at the office of the county ethics commission.

(a) Each official who receives a declaration of candidacy or petition to appear on the ballot for election as a public official and each person nominated to serve as a public official shall, within 2 days of such receipt or nomination, notify the county ethics commission of the name of each new candidate for public office as defined in section 2 (c) of this act, and the date on which such person became a candidate for the purposes of this act.

(b) The county ethics commission shall notify such official and, in the case of candidates for appointive office, the clerk of the body that will approve or disapprove the nomination, of the name of each candidate who files

a statement of economic interest at the office of the commission and of the date on which such statement was filed.

(c) Other provisions of the law notwithstanding, if a candidate for elective public office does not submit a statement of economic interests in accordance with the requirements of this act within 10 days after he becomes a candidate, his name shall not appear on the ballot.

(d) If a person who becomes a candidate for appointive public office by nomination fails to file a statement of economic interests in accordance with the provisions of this act within 10 days after such nomination, the nomination shall not be approved or ratified until at least 10 days after he has filed such statement of economic interests.

Section 14. No person hired to serve as a public official in such counties with compensation of \$12,000 or more per year on a per diem or consultant basis shall be allowed to take the oath of office or enter upon his duties unless he has filed a statement of economic interests in accordance with the provisions of this act at the office of the state ethics commission.

Section 15. Each current public official who receives compensation of \$12,000 or more per year shall file a statement of economic interests in accordance with the provisions of this act at the office of the county ethics commission within 60 days after the effective date of this act, and shall receive no compensation after such filing deadline until he files such statement.

Section 16. (a) Any statement of economic interests filed under this act shall be on a form prescribed by the commission, and the person filing the statement shall supply the following information:

(1) The identity, by name, of all offices, directorships, and fiduciary relationships held by him or a member of his household;

(2) The legal description of all real estate in the county in which he or a member of his household has any interest, direct or indirect, including an option to buy;

(3) The name of each creditor to whom he or a member of his household owes monies in excess of \$1,000, the category of the amount owed, and the interest rate;

(4) The name of each business, insurance policy, or trust in which he or a member of his household has a financial interest, and the nature and category of the amount of such interest;

(5) The source, by name, and category of the amounts of any income, including capital gains, whether or not taxable, received by him or a member of his household during the preceding year;

(6) A list of businesses with which he is associated that do business with or are regulated by the county, and a description of the nature of such business or regulation;

(7) If the individual filing is an attorney, a list of all matters of public record in which the state or any public official or executive agency is a party in which he or any member of a law firm with which he is associated represented a client with a fee of \$1,000 or more, the name of each such client, the category of the amount of each fee, and a description of the matter involved; and

(8) If the individual filing is an attorney, a list of all clients of the individual or any law firm with which he is associated whose fees were \$1,000 or more during the preceding year, excluding fees received in criminal actions.

(b) Where an amount is required to be reported by category, the individual shall report whether the amount is less than \$1,000, at least \$1,000 but less than \$5,000, at least \$5,000 but less than \$10,000, at least \$10,000 but less than \$25,000, or \$25,000 or more. An amount of stock may be reported by number of shares instead of by category of dollar value. No provision of this act shall be interpreted to prevent any person from filing more information or more detailed information than required.

Section 17. Each person who is required to file a statement of economic interests under this act shall file an updating statement at the office of the commission and on a form prescribed by the commission within one week of any addition, deletion or change in his financial status with respect to which information is required to be supplied under Section 16; provided that, if the person has filed with the commission the description by name, amount and schedule of payments of a continuing arrangement relating to an item required to be reported under subsection 16(c) or 16(e), an updating statement need not be filed for each payment under such continuing arrangement, but only if the arrangement is terminated or altered.

Section 18. (a) There is hereby created a county ethics commission which shall be composed of five members, to be appointed in the following manner:

(1) One member by the total house delegation representing any portion of such county.

(2) One member by the total senate delegation representing any portion of such county.

(3) One member by the governing body of the largest municipality located within such county.

(4) One member by the total number of circuit judges sitting in such county.

(5) One member by the county governing body. In the order of their appointment, as listed above, they shall serve the following terms:

One of the original members shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years, beginning from the date of enactment of this act, but their successors shall be appointed for terms of five years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The commission shall elect one member to serve as chairman of the commission and one member to serve as vice-chairman. The vice-chairman shall act as chairman in the absence or disability of the chairman or in the event of a vacancy in that office.

(b) A vacancy in the commission shall not impair the right of the remaining members to exercise all the powers of the commission and three members thereof shall constitute a quorum.

(c) The commission shall at the close of each fiscal year report to the county governing body and legislative delegation the names, salaries, and duties of all individuals in its employ and the money it has disbursed; and shall make such further reports on the matters within its jurisdiction and such recommendations for further legislation as may appear desirable.

(d) Members of the commission shall, while serving on the business of the commission, be entitled to receive no compensation.

(e) The office of the commission shall be in or near the county courthouse, but it may meet or exercise any or all its powers at any other place in the state.

(f) All members, officers, agents, attorneys, and employees of the commission shall be subject to the provisions of law prohibiting political activity of such employees.

(g) The commission shall appoint an executive director to serve at the pleasure of the commission. The executive director shall be responsible for the administrative operations of the commission and shall perform such other duties as may be delegated or assigned to him from time to time by regulations or orders of the commission. However, the commission shall not delegate the making of regulations to the executive director.

(h) The operations of the commissions shall be funded from a yearly appropriation of \$30,000 or any lesser amount needed from the general funds of counties to which this act applies.

Section 19. It shall be the duty of the commission:

(a) To prescribe forms for statements required to be filed by this act, and to furnish such forms to persons required to file such statements;

(b) To prepare and publish a manual setting forth recommended uniform methods of reporting for use by persons required to file statements required by this act;

(c) To accept and file any information voluntarily supplied that exceeds the requirements of this act;

(d) To develop a filing, coding, and cross-indexing system consonant with the purposes of this act;

(e) To make the reports and statements filed with it available for public inspection and copying during regular office hours, and to make copying facilities available free of charge or at a charge not to exceed actual cost;

(f) To preserve such reports and statements for period of ten years from date of receipt;

(g) To prepare and publish, from time to time, summaries of the statements received;

(h) To prepare and publish such other reports as it may seem appropriate;

(i) To provide for public dissemination of summaries and reports;

(j) To make investigations with respect to statements filed under the provisions of this act, and with respect to alleged failures to file any state-

ment required under the provisions of this act and, upon complaint by any individual, with respect to alleged violation of any part of this act;

(k) To report suspected violations of law to the appropriate law enforcement authorities of such counties;

(l) To issue, upon request, and publish advisory opinions on the requirements of this act, based on a real or hypothetical set of circumstances;

(m) To prescribe and publish rules and regulations to carry out provisions of this act.

Section 20. Any person who wilfully and knowingly violates the provisions of sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14 or 17 of this act is guilty of a felony and shall be fined not more than \$10,000 or be imprisoned for not more than 5 years or be both fined and imprisoned.

Section 21. Any person who violates the provisions of sections 3, 4, 5, 6, 10, 11 or 12 of this act shall, in addition to any other penalty prescribed by law, pay into the treasury of such counties a sum of money equal to three (3) times the financial gain resulting from such violation.

Section 22. The penalties prescribed in this act do not limit the power of the county members of the legislature to discipline its own members or impeach a public official, and do not limit the power of agencies or commissions to discipline officials or employees.

Section 23. The circuit courts of such counties shall have jurisdiction to issue injunctions to enforce the provisions of this act upon application by any citizen of the county.

Section 24. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 25. All laws or parts of laws which conflict with this act are repealed.

Section 26. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Callahan	Culver	Grainger
Adams	Carnes	Doss	Gray (F)
Adwell	Carter	Downing	Hale
Agee	Casey	Drake	Hardin
Bank	Cauthen	Easters	Headley
Barkett	Chesnut	Edwards	Hearn
Barron	Collins	Ellis	Hill
Bassett	Connell	Erdreich	Hobbie
Benton	Coshatt	Falkenburg	Hughes
Boles	Cottingham	Fite	Jackson
Boutwell	Crawford	Flippo	King
Bowers	Cross	Gafford	Kinsey
Brassell	Crowe	Goodwin	Lang

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Lutz	O'Daniel	St. John	Timmons
McCluskey	Owens	Slate	Turner
McCorquodale	Perloff	Smith (K)	Turnham
McDonald	Porter	Smith (P)	Waggoner
McMillan	Pruitt	Snell	Waldrop
Mathews	Reed (T)	Stewart	Warren
May	Reid (R)	Stokes	Williams
Merrill	Reynolds	Stubbs	Wise
Mims	Roberts	Taylor	Wood
Naramore	Robertson	Therrell	Wynot
Nettles			

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The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend Section 18(g) of House Bill 76 by deleting the subsection and inserting in lieu thereof the following:

“(g) The Clerk of the House of Representatives, the governing body of the municipality and governing body of the county, where this act applies shall furnish this Commission with clerical help and office space.”

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

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The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend Section 18(h) of House Bill 76 by deleting this subsection in its entirety.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

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The question was then on the adoption of the amendment #3 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend the Substitute for H.B. 76, Section 20 by inserting between the words who and violates the following words:

“willfully and knowingly”

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Casey	Ellis	Jackson
Adams	Cauthen	Erdreich	King
Adwell	Chesnut	Falkenburg	Kinsey
Agee	Collins	Fite	Lang
Bank	Connell	Flippo	Lutz
Barkett	Coshatt	Gafford	McCluskey
Barron	Cottingham	Goodwin	McCorquodale
Bassett	Crawford	Grainger	McDonald
Benton	Cross	Gray (F)	McMillan
Boles	Crowe	Hale	Mathews
Boutwell	Culver	Hardin	May
Bowers	Doss	Headley	Merrill
Brassell	Downing	Hearn	Mims
Callahan	Drake	Hill	Naramore
Carnes	Easters	Hobbie	Nettles
Carter	Edwards	Hughes	O'Daniel

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Owens	Robertson	Stokes	Waggoner
Perloff	St. John	Stubbs	Waldrop
Porter	Slate	Taylor	Warren
Pruitt	Smith (K)	Therrell	Williams
Reed (T)	Smith (P)	Timmons	Wise
Reid (R)	Snell	Turner	Wood
Reynolds	Stewart	Turnham	Wynot
Roberts			

—93

And the bill:

H. 76. To establish a county ethics commission for all counties having a population of not less than 150,000 nor more than 180,000; to provide a county ethics law which requires that certain statements of economic interest be filed by public officials and which prohibits certain practices by public officials which conflict with a proper safeguarding of the public trust. Violations thereof shall be considered a felony.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2195. Pertaining to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; establishing, subject to a referendum, a Charter Commission for the purpose of proposing a Charter for the consolidation of such counties and the municipalities situated therein; fixing the powers and duties of said Commission, providing for its membership and the payment of expenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2194. (With Amendment): To provide an expense allowance for each member of the Madison County Commission, except for the Chairman thereof; to provide that the salary of said officers named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officers.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

In Section 1, strike the following words and figures:

"shall receive an allowance for expenses in the amount of \$3,500.00 per annum,"

and insert in lieu thereof the following:

shall receive an allowance for expenses in the amount of \$1,200.00 per annum for the fiscal year beginning October 1, 1973, \$2,400.00 per annum for the fiscal year beginning October 1, 1974 and \$3,500.00 per annum for the fiscal year beginning October 1, 1975 and each year thereafter,

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Adwell	Bank	Barron
Adams	Agee	Barkett	Bassett

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Benton	Easters	Lang	Robertson
Boles	Edwards	Lutz	St. John
Boutwell	Ellis	McCluskey	Slate
Bowers	Erdreich	McCorquodale	Smith (K)
Brassell	Falkenburg	McDonald	Smith (P)
Callahan	Fite	McMillan	Snell
Carnes	Flippo	Mathews	Stewart
Carter	Gafford	May	Stokes
Casey	Goodwin	Merrill	Stubbs
Cauthen	Grainger	Mims	Taylor
Chesnut	Gray (F)	Naramore	Therrell
Collins	Hale	Nettles	Timmons
Connell	Hardin	O'Daniel	Turner
Coshatt	Headley	Owens	Turnham
Cottingham	Hearn	Perloff	Waggoner
Crawford	Hill	Porter	Waldrop
Cross	Hobbie	Pruitt	Warren
Crowe	Hughes	Reed (T)	Williams
Culver	Jackson	Reid (R)	Wise
Doss	King	Reynolds	Wood
Downing	Kinsey	Roberts	Wynot
Drake			

—93

And the bill, H. 2194 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2193. (With Amendment): To provide an expense allowance for the Probate Judge of Madison County, Alabama; to provide that the salary of said officer named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officer.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

In Section 1, strike the following words and figures:

"shall receive an allowance for expenses in the amount of \$3,500.00 per annum,"

and insert in lieu thereof the following:

shall receive an allowance for expenses in the amount of \$1,200.00 per annum for the fiscal year beginning October 1, 1973, \$2,400.00 per annum for the fiscal year beginning October 1, 1974 and \$3,500.00 per annum for the fiscal year beginning October 1, 1975 and each year thereafter,

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill, H. 2193 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Barron	Brassell	Chesnut
Adams	Bassett	Callahan	Collins
Adwell	Benton	Carnes	Connell
Agee	Boles	Carter	Coshatt
Bank	Boutwell	Casey	Cottingham
Barkett	Bowers	Cauthen	Crawford

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Cross	Hardin	Merrill	Smith (P)
Crowe	Headley	Mims	Snell
Culver	Hearn	Naramore	Stewart
Doss	Hill	Nettles	Stokes
Downing	Hobbie	O'Daniel	Stubbs
Drake	Hughes	Owens	Taylor
Easters	Jackson	Perloff	Therrell
Edwards	King	Porter	Timmons
Ellis	Kinsey	Pruitt	Turner
Erdreich	Lang	Reed (T)	Turnham
Falkenburg	Lutz	Reid (R)	Waggoner
Fite	McCluskey	Reynolds	Waldrop
Flippo	McCorquodale	Roberts	Warren
Gafford	McDonald	Robertson	Williams
Goodwin	McMillan	St. John	Wise
Grainger	Mathews	Slate	Wood
Gray (F)	May	Smith (K)	Wynot
Hale			

—93

And the bill:

H. 2192. (With Amendment): To change the compensation of the tax assessor of Madison County, Alabama.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Strike Section 1 and insert in lieu thereof the following:

Section 1. The tax assessor of Madison County, Alabama, shall receive as compensation a salary of \$17,700 per annum for the fiscal year beginning October 1, 1973, \$18,900 per annum for the fiscal year beginning October 1, 1974 and \$20,000 per annum for the fiscal year beginning October 1, 1975 and each year thereafter, which salary shall be payable in equal monthly installments by proper warrant drawn on the General Fund of said county.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Casey	Ellis	Jackson
Adams	Cauthen	Erdreich	King
Adwell	Chesnut	Falkenburg	Kinsey
Agee	Collins	Fite	Lang
Bank	Connell	Flippo	Lutz
Barkett	Coshatt	Gafford	McCluskey
Barron	Cottingham	Goodwin	McCorquodale
Bassett	Crawford	Grainger	McDonald
Benton	Cross	Gray (F)	McMillan
Boles	Crowe	Hale	Mathews
Boutwell	Culver	Hardin	May
Bowers	Doss	Headley	Merrill
Brassell	Downing	Hearn	Mims
Callahan	Drake	Hill	Naramore
Carnes	Easters	Hobbie	Nettles
Carter	Edwards	Hughes	O'Daniel

Owens	Robertson	Stokes	Waggoner
Perloff	St. John	Stubbs	Waldrop
Porter	Slate	Taylor	Warren
Pruitt	Smith (K)	Therrell	Williams
Reed (T)	Smith (P)	Timmons	Wise
Reid (R)	Snell	Turner	Wood
Reynolds	Stewart	Turnham	Wynot
Roberts			

—93

And the bill, H. 2192 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2189. (With Amendment): To change the compensation of the tax collector of Madison County, Alabama.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Strike Section 1 and insert in lieu thereof the following:

Section 1. The tax collector of Madison County, Alabama, shall receive as compensation a salary of \$17,700 per annum for the fiscal year beginning October 1, 1973, \$18,900 per annum for the fiscal year beginning October 1, 1974 and \$20,000 per annum for the fiscal year beginning October 1, 1975 and each year thereafter, which salary shall be payable in equal monthly installments by proper warrant drawn on the General Fund of said county.

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And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill, H. 2189 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2187. (With Amendment): To provide an expense allowance for the Chairman of the Madison County Commission; to provide that the salary of said officer named in this Act shall be increased by the amount of said expense allowance and said expense allowance shall thereby terminate upon the commencement of the next term of said officer.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

In Section 1, strike the following:

"shall receive an allowance for expenses in the amount of \$4,500.00 per annum,"

and insert in lieu thereof the following:

shall receive an allowance for expenses in the amount of \$1,500.00 per annum for the fiscal year beginning October 1, 1973, \$3,000.00 per annum for the fiscal year beginning October 1, 1974 and \$4,500.00 per annum for the fiscal year beginning October 1, 1975 and each year thereafter,

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill, H. 2187 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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4239

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2188. Relating to counties having a population of not less than 175,000 nor more than 300,000; providing salary increase for the sheriff of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Connell	Gray (F)	Mims
Adams	Coshatt	Hale	Naramore
Adwell	Cottingham	Hardin	Nettles
Agee	Crawford	Headley	O'Daniel
Bank	Cross	Hearn	Owens
Barkett	Crowe	Hill	Perloff
Barron	Culver	Hobbie	Porter
Bassett	Doss	Hughes	Pruitt
Benton	Downing	Jackson	Reed (T)
Boles	Drake	King	Reid (R)
Boutwell	Easters	Kinsey	Reynolds
Bowers	Edwards	Lang	Roberts
Brassell	Ellis	Lutz	Robertson
Callahan	Erdreich	McCluskey	St. John
Carnes	Falkenburg	McCorquodale	Slate
Carter	Fite	McDonald	Smith (K)
Casey	Flippo	McMillan	Smith (P)
Cauthen	Gafford	Mathews	Snell
Chesnut	Goodwin	May	Stewart
Collins	Grainger	Merrill	Stokes

Stubbs
Taylor
Therrell
Timmons

Turner
Turnham
Waggoner

Waldrop
Warren
Williams

Wise
Wood
Wynot

—93

And the bill:

H. 1625. Relating to Counties having populations of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the County governing body and the governing bodies of Municipalities in such Counties to adopt ordinances which protect the historic architectural character of the County, including designating historic districts, creating certain agencies to regulate and promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Bowers
Brassell
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham
Crawford

Cross
Crowe
Culver
Doss
Downing
Drake
Easters
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Gray (F)
Hale
Hardin
Headley
Hearn
Hill
Hobbie

Hughes
Jackson
King
Kinsey
Lang
Lutz
McCluskey
McCorquodale
McDonald
McMillan
Mathews
May
Merrill
Mims
Naramore
Nettles
O'Daniel
Owens
Perloff
Porter
Pruitt
Reed (T)
Reid (R)

Reynolds
Roberts
Robertson
St. John
Slate
Smith (K)
Smith (P)
Snell
Stewart
Stokes
Stubbs
Taylor
Therrell
Timmons
Turner
Turnham
Waggoner
Waldrop
Warren
Williams
Wise
Wood
Wynot

—93

And the bill:

H. 1784. To relieve members of the Greene County Commission of the obligation of making payment for certain illegal expenditures of county funds for ambulance services; to appropriate county funds for reimbursements for certain payments heretofore made.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
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4241

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 1785. To amend Act No. 149, H. 441, approved June 29, 1951 (Acts of Alabama 1950-51, Vol. I, p. 383), as amended, an act relating to the powers, duties, and compensation of the court of county commissioners of Greene County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Flippo	McCorquodale
Adams	Collins	Gafford	McDonald
Adwell	Connell	Goodwin	McMillan
Agee	Coshatt	Grainger	Mathews
Bank	Cottingham	Gray (F)	May
Barkett	Crawford	Hale	Merrill
Barron	Cross	Hardin	Mims
Bassett	Crowe	Headley	Naramore
Benton	Culver	Hearn	Nettles
Boles	Doss	Hill	O'Daniel
Boutwell	Downing	Hobbie	Owens
Bowers	Drake	Hughes	Perloff
Brassell	Easters	Jackson	Porter
Callahan	Edwards	King	Pruitt
Carnes	Ellis	Kinsey	Reed (T)
Carter	Erdreich	Lang	Reid (R)
Casey	Falkenburg	Lutz	Reynolds
Cauthen	Fite	McCluskey	Roberts

Robertson	Stewart	Timmons	Warren
St. John	Stokes	Turner	Williams
Slate	Stubbs	Turnham	Wise
Smith (K)	Taylor	Waggoner	Wood
Smith (P)	Therrell	Waldrop	Wynot
Snell			

—93

And the bill:

H. 1917. Relating to any county having a population of not less than 17,000 nor more than 20,000 inhabitants according to the most recent federal decennial census; further regulating the compensation of members of the county commission and the ex officio chairman of said county commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 1918. To amend Section 8 of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by increasing the maximum annual compensation allowed to secretarial, stenographic and clerical assistants and providing for the positions of Investigators for the Public Defender Office and setting the maximum annual compensation therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

REGULAR SESSION
32nd Day

4243

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2051. To alter, rearrange and extend the boundary lines and corporate limits of the city of Ozark in Dale County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Connell	Gray (F)	Mims
Adams	Coshatt	Hale	Naramore
Adwell	Cottingham	Hardin	Nettles
Agee	Crawford	Headley	O'Daniel
Bank	Cross	Hearn	Owens
Barkett	Crowe	Hill	Perloff
Barron	Culver	Hobbie	Porter
Bassett	Doss	Hughes	Pruitt
Benton	Downing	Jackson	Reed (T)
Boles	Drake	King	Reid (R)
Boutwell	Easters	Kinsey	Reynolds
Bowers	Edwards	Lang	Roberts
Brassell	Ellis	Lutz	Robertson
Callahan	Erdreich	McCluskey	St. John
Carnes	Falkenburg	McCorquodale	Slate
Carter	Fite	McDonald	Smith (K)
Casey	Flippo	McMillan	Smith (P)
Cauthen	Gafford	Mathews	Snell
Chesnut	Goodwin	May	Stewart
Collins	Grainger	Merrill	Stokes

Stubbs
Taylor
Therrell
TimmonsTurner
Turnham
WaggonerWaldrop
Warren
WilliamsWise
Wood
Wynot

—93

And the bill:

H. 2052. To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayhatchee in Dale County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Bowers
Brassell
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham
CrawfordCross
Crowe
Culver
Doss
Downing
Drake
Easters
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Gray (F)
Hale
Hardin
Headley
Hearn
Hill
HobbieHughes
Jackson
King
Kinsey
Lang
Lutz
McCluskey
McCorquodale
McDonald
McMillan
Mathews
May
Merrill
Mims
Naramore
Nettles
O'Daniel
Owens
Perloff
Porter
Pruitt
Reed (T)
Reid (R)Reynolds
Roberts
Robertson
St. John
Slate
Smith (K)
Smith (P)
Snell
Stewart
Stokes
Stubbs
Taylor
Therrell
Timmons
Turner
Turnham
Waggoner
Waldrop
Warren
Williams
Wise
Wood
Wynot

—93

And the bill:

H. 2077. To change the method of compensating the probate judge of Dale County, placing such officer on a salary basis, providing for the operation of his office on such basis, and providing that the fees, commissions, percentages and allowances provided the probate judge under the general law shall be paid into the county treasury, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
BankBarkett
Barron
Bassett
Benton
BolesBoutwell
Bowers
Brassell
Callahan
CarnesCarter
Casey
Cauthen
Chesnut
Collins

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Connell	Grainger	Mathews	Smith (K)
Coshatt	Gray (F)	May	Smith (P)
Cottingham	Hale	Merrill	Snell
Crawford	Hardin	Mims	Stewart
Cross	Headley	Naramore	Stokes
Crowe	Hearn	Nettles	Stubbs
Culver	Hill	O'Daniel	Taylor
Doss	Hobbie	Owens	Therrell
Downing	Hughes	Perloff	Timmons
Drake	Jackson	Porter	Turner
Easters	King	Pruitt	Turnham
Edwards	Kinsey	Reed (T)	Waggoner
Ellis	Lang	Reid (R)	Waldrop
Erdreich	Lutz	Reynolds	Warren
Falkenburg	McCluskey	Roberts	Williams
Fite	McCorquodale	Robertson	Wise
Flippo	McDonald	St. John	Wood
Gafford	McMillan	Slate	Wynot
Goodwin			

—93

And the bill:

H. 2095. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2099. To abolish the fine and forfeiture fund of Dale County: pro-

viding for the transfer of all money on hand in such fund to the general fund; providing for the payment of all claims which would be paid from the fine and forfeiture fund to be paid from the general fund; and providing for the payment of all monies which would be paid to the fine and forfeiture fund to be paid to the general fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2104. (With Amendment): Authorizing the Lee County governing body to levy, assess and collect privilege, franchise, license, sales and use taxes to raise funds for schools and general county purposes.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

At the end of Section 1 of H. B. 2104 insert the following paragraph:

Provided, however, that no tax levied under the provisions of this act shall be applicable to the sale of beer or soft drinks in said county, and that no tax herein levied shall exceed more than one-half cent ($\frac{1}{2}\%$) sales tax nor more than one cent (1%) per pack on cigarettes.

And the amendment was adopted.

REGULAR SESSION
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4247

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill, H. 2104 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2108. (With Amendment): To amend Section 3 of Act No. 200,

H. 120, 1969 Special Session (Acts 1969, p. 263), entitled, "An Act to provide for Walker County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the county, defining violations of the Act; imposing penalties for violations; and repealing conflicting laws," so as to provide for the inclusion of certain other employees under the provision of the Act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend H. B. 2108, Section 3 (g), by striking the words "except bus drivers and janitors, and clerks and office employees of Walker County Board of Education", and insert in lieu thereof the following: "All clerks and office employees of Walker County Board of Education shall be under the jurisdiction and authority of the Walker County Civil Service Board".

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill, H. 2108 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Brassell
Adams	Barkett	Boles	Callahan
Adwell	Barron	Boutwell	Carnes
Agee	Bassett	Bowers	Carter

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Casey	Flippo	McDonald	Slate
Cauthen	Gafford	McMillan	Smith (K)
Chesnut	Goodwin	Mathews	Smith (P)
Collins	Grainger	May	Snell
Connell	Gray (F)	Merrill	Stewart
Coshatt	Hale	Mims	Stokes
Cottingham	Hardin	Naramore	Stubbs
Crawford	Headley	Nettles	Taylor
Cross	Hearn	O'Daniel	Therrell
Crowe	Hill	Owens	Timmons
Culver	Hobbie	Perloff	Turner
Doss	Hughes	Porter	Turnham
Downing	Jackson	Pruitt	Waggoner
Drake	King	Reed (T)	Waldrop
Easters	Kinsey	Reid (R)	Warren
Edwards	Lang	Reynolds	Williams
Ellis	Lutz	Roberts	Wise
Erdreich	McCluskey	Robertson	Wood
Falkenburg	McCorquodale	St. John	Wynot
Fite			

—93

And the bill:

H. 2119. Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; allowing the county commission to employ up to four additional deputy sheriffs.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2122. To extend, alter and rearrange the boundary lines and corporate limits of the City of Dothan, in Houston County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2123. To amend the City of Dothan Pension and Retirement System, established by Act No. 103, Regular Session of the Alabama Legislature, approved June 18, 1953, and amended by Act No. 424, Regular Session of the Legislature, approved August 7, 1961; Act No. 509, Regular Session, approved August 20, 1965; Act No. 601, Regular Session, approved September 8, 1967; Act No. 59, Regular Session 1971, approved July 12, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Benton	Casey	Cross
Adams	Boles	Cauthen	Crowe
Adwell	Boutwell	Chesnut	Culver
Agee	Bowers	Collins	Doss
Bank	Brassell	Connell	Downing
Barkett	Callahan	Coshatt	Drake
Barron	Carnes	Cottingham	Easters
Bassett	Carter	Crawford	Edwards

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32nd Day

4251

Ellis	Jackson	O'Daniel	Stewart
Erdreich	King	Owens	Stokes
Falkenburg	Kinsey	Perloff	Stubbs
Fite	Lang	Porter	Taylor
Flippo	Lutz	Pruitt	Therrell
Gafford	McCluskey	Reed (T)	Timmons
Goodwin	McCorquodale	Reid (R)	Turner
Grainger	McDonald	Reynolds	Turnham
Gray (F)	McMillan	Roberts	Waggoner
Hale	Mathews	Robertson	Waldrop
Hardin	May	St. John	Warren
Headley	Merrill	Slate	Williams
Hearn	Mims	Smith (K)	Wise
Hill	Naramore	Smith (P)	Wood
Hobbie	Nettles	Snell	Wynot
Hughes			

—93

And the bill:

H. 2124. Relating to the eleventh judicial circuit; providing an expense allowance for the District Attorney of such circuit; providing for a county salary supplement for such District Attorney at the beginning of his next term of office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2130. Relating to Cleburne County; providing for the construction, maintenance and repair of public roads, highways and bridges under the county unit system; authorizing and requiring the county governing body to

employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads and bridges of Cleburne County.

Was taken up.

H. 2130 POSTPONED

On motion of Mr. Casey, the bill, H. 2130, was postponed to the thirty-third legislative day.

And the bill:

H. 2168. Relating to Etowah County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Was taken up.

Mrs. Wynot offered the following amendment to the bill:

Amend H. B. 2168, Section 3 by adding after the words "served such apprenticeship" the following:

"after the student has completed 900 hours cosmetology training in a registered beauty school, and has received a permit from the Cosmetology Board."

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

REGULAR SESSION
32nd Day

4253

And the bill, H. 2168 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2169. Relating to Baldwin County; providing for the election of the county superintendent of education and prescribing his qualifications, duties, compensation and term of office; providing for the filling of vacancies in such office; and making the provisions of this act subject to the approval of a majority of the electors of the county voting in a referendum to be held thereon.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Carnes	Downing	Hardin
Adams	Carter	Drake	Headley
Adwell	Casey	Easters	Hearn
Agee	Cauthen	Edwards	Hill
Bank	Chesnut	Ellis	Hobbie
Barkett	Collins	Erdreich	Hughes
Barron	Connell	Falkenburg	Jackson
Bassett	Coshatt	Fite	King
Benton	Cottingham	Flippo	Kinsey
Boles	Crawford	Gafford	Lang
Boutwell	Cross	Goodwin	Lutz
Bowers	Crowe	Grainger	McCluskey
Brassell	Culver	Gray (F)	McCorquodale
Callahan	Doss	Hale	McDonald

McMillan	Porter	Smith (K)	Turner
Mathews	Pruitt	Smith (P)	Turnham
May	Reed (T)	Snell	Waggoner
Merrill	Reid (R)	Stewart	Waldrop
Mims	Reynolds	Stokes	Warren
Naramore	Roberts	Stubbs	Williams
Nettles	Robertson	Taylor	Wise
O'Daniel	St. John	Therrell	Wood
Owens	Slate	Timmons	Wynot
Perloff			

—93

And the bill:

H. 2170. Relating to counties having a population of not less than 15,650 nor more than 16,200 according to the most recent federal decennial census; requiring any judge who wishes to be paid by such counties under the provisions of Act No. 606 S. 112, Regular Session 1969 (Acts 1969, p. 1110), which relates to Supernumerary Probate Judges, to maintain his permanent residence in such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2171. Relating to counties having populations of not less than 56,000 nor more than 59,000 according to the most recent federal decennial census; to authorize the county commission to construct off-street parking facilities on real property owned by the county, to operate, manage and maintain such facilities, and to make or provide a schedule of fees or charges and promulgate rules and regulations, for the use of such parking facilities; to provide for penalties for violations.

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Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2173. Relating to all counties having populations of not less than 115,000 nor more than 130,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Carnes	Downing	Hardin
Adams	Carter	Drake	Headley
Adwell	Casey	Easters	Hearn
Agee	Cauthen	Edwards	Hill
Bank	Chesnut	Ellis	Hobbie
Barkett	Collins	Erdreich	Hughes
Barron	Connell	Falkenburg	Jackson
Bassett	Coshatt	Fite	King
Benton	Cottingham	Flippo	Kinsey
Boles	Crawford	Gafford	Lang
Boutwell	Cross	Goodwin	Lutz
Bowers	Crowe	Grainger	McCluskey
Brassell	Culver	Gray (F)	McCorquodale
Callahan	Doss	Hale	McDonald

McMillan	Porter	Smith (K)	Turner
Mathews	Pruitt	Smith (P)	Turnham
May	Reed (T)	Snell	Waggoner
Merrill	Reid (R)	Stewart	Waldrop
Mims	Reynolds	Stokes	Warren
Namamore	Roberts	Stubbs	Williams
Nettles	Robertson	Taylor	Wise
O'Daniel	St. John	Therrell	Wood
Owens	Slate	Timmons	Wynot
Perloff			

—93

And the bill:

H. 2174. Relating to counties having populations of not less than 16,350 nor more than 16,650 according to the most recent federal decennial census, requiring all railroad operators operating in such counties to erect and maintain proper mechanical warning devices at all grade crossings in such counties.

Was taken up.

H. 2174 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 2174, was postponed to the thirty-third legislative day.

And the bill:

H. 2175. Relating to counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, requiring all railroad operators operating in such counties to erect and maintain proper mechanical warning devices at all grade crossings in such counties.

Was taken up.

H. 2175 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 2175, was postponed to the thirty-third legislative day.

And the bill:

H. 2176. Applicable to any county having a population of not less than 65,500 nor more than 75,000 according to the last federal decennial census; to provide for the salary of the members of the Jury Commission of such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Barron	Brassell	Chesnut
Adams	Bassett	Callahan	Collins
Adwell	Benton	Carnes	Connell
Agee	Boles	Carter	Coshatt
Bank	Boutwell	Casey	Cottingham
Barkett	Bowers	Cauthen	Crawford

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Cross	Hardin	Merrill	Smith (P)
Crowe	Headley	Mims	Snell
Culver	Hearn	Naramore	Stewart
Doss	Hill	Nettles	Stokes
Downing	Hobbie	O'Daniel	Stubbs
Drake	Hughes	Owens	Taylor
Easters	Jackson	Perloff	Therrell
Edwards	King	Porter	Timmons
Ellis	Kinsey	Pruitt	Turner
Erdreich	Lang	Reed (T)	Turnham
Falkenburg	Lutz	Reid (R)	Waggoner
Fite	McCluskey	Reynolds	Waldrop
Flippo	McCorquodale	Roberts	Warren
Gafford	McDonald	Robertson	Williams
Goodwin	McMillan	St. John	Wise
Grainger	Mathews	Slate	Wood
Gray (F)	May	Smith (K)	Wynot
Hale			

—93

And the bill:

H. 2177. To amend Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County and providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, by amending Sections 2 and 5 thereof; providing that the county governing body shall have and exercise the power to determine which new county roads and bridges are to be built within the county and to further determine the location of new roads and bridges within the county which may be established as an addition to or change in the existing county road system, all subject to the approval of the State Highway Department; providing that the State Highway Department shall cause its Lauderdale County Engineer, or Assistant Engineer, to personally meet with the county governing body of Lauderdale County in its second regular meeting of each month and make an up-to-date status report on the progress of the work of the State Highway Department relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County; and further providing that the State Highway Department shall prepare and file with the governing body of Lauderdale County on a quarterly basis each year a quarterly financial report relating to the construction, maintenance and repair of the county roads and bridges of Lauderdale County by the State Highway Department under the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Boles	Chesnut	Doss
Adams	Boutwell	Collins	Downing
Adwell	Bowers	Connell	Drake
Agee	Brassell	Coshatt	Easters
Bank	Callahan	Cottingham	Edwards
Barkett	Carnes	Crawford	Ellis
Barron	Carter	Cross	Erdreich
Bassett	Casey	Crowe	Falkenburg
Benton	Cauthen	Culver	Fite

Flippo	Lang	Perloff	Stokes
Gafford	Lutz	Porter	Stubbs
Goodwin	McCluskey	Pruitt	Taylor
Grainger	McCorquodale	Reed (T)	Therrell
Gray (F)	McDonald	Reid (R)	Timmons
Hale	McMillan	Reynolds	Turner
Hardin	Mathews	Roberts	Turnham
Headley	May	Robertson	Waggoner
Hearn	Merrill	St. John	Waldrop
Hill	Mims	Slate	Warren
Hobbie	Naramore	Smith (K)	Williams
Hughes	Nettles	Smith (P)	Wise
Jackson	O'Daniel	Snell	Wood
King	Owens	Stewart	Wynot
Kinsey			

—93

And the bill:

H. 2178. Relating to the management of the public records of Lauderdale County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Lauderdale County, and for payment of the cost incurred in the purchase of photographic or microphotographic equipment; to authorize the photographing or microphotographing of old documents and records presently held as public records of Lauderdale County; to authorize the destruction of old documents not otherwise stored with the State Department of Archives and History.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

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4259

And the bill:

H. 2179. Relating to Lauderdale County; to further amend Sections 1, 2, 3, 4, 7, 8 and 10 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433), as amended by Act No. 470 adopted by the 1959 Regular Session of the Legislature of Alabama, approved November 13, 1959 (Acts of Alabama of 1959, Vol. 2, pp. 1165-1170), relating to privilege or license taxes or excise taxes in Lauderdale County (outside the corporate limits of the City of Florence) and in the City of Florence, Lauderdale County; levying in such county (outside the city limits of Florence) and in such municipality additional privilege license and excise taxes paralleling the state sales and use taxes provided for in Act No. 100, Second Special Session 1959 (Acts 1959, p. 298), as amended, and in Articles 11, 11A and 11B, Title 51, Code of Alabama, 1940, as amended; providing that the taxes levied in Sections 1 and 3 of this Act shall be subject to all of the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Act No. 100, adopted by the 1959 Second Special Session of the Legislature of Alabama, approved August 18, 1959, as amended, except where inapplicable or where herein otherwise provided; providing that the taxes levied in Sections 2 and 4 of this Act shall be subject to all of the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, except where inapplicable or where herein otherwise provided; providing for the alternative collection of such taxes and the enforcement and administration of the Act by the State Department of Revenue if authorized and directed by the governing body of Lauderdale County; and further providing a procedure by which the governing body of Lauderdale County may discontinue availing itself of the alternative collection of such taxes and the enforcement of the Act by the State Department of Revenue after election to invoke such alternative collection and enforcement procedures has been made.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Falkenburg	Lang
Adams	Chesnut	Fite	Lutz
Adwell	Collins	Flippo	McCluskey
Agee	Connell	Gafford	McCorquodale
Bank	Coshatt	Goodwin	McDonald
Barkett	Cottingham	Grainger	McMillan
Barron	Crawford	Gray (F)	Mathews
Bassett	Cross	Hale	May
Benton	Crowe	Hardin	Merrill
Boles	Culver	Headley	Mims
Boutwell	Doss	Hearn	Naramore
Bowers	Downing	Hill	Nettles
Brassell	Drake	Hobbie	O'Daniel
Callahan	Easters	Hughes	Owens
Carnes	Edwards	Jackson	Perloff
Carter	Ellis	King	Porter
Casey	Erdreich	Kinsey	Pruitt

Reed (T)	Smith (K)	Taylor	Waldrop
Reid (R)	Smith (P)	Therrell	Warren
Reynolds	Snell	Timmons	Williams
Roberts	Stewart	Turner	Wise
Robertson	Stokes	Turnham	Wood
St. John	Stubbs	Waggoner	Wynot
Slate			

—93

And the bill:

H. 2180. Relating to counties having a population of not less than 53,000 nor more than 55,000, based on the last Federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2181. Relating to counties having a population of not less than 53,000 nor more than 55,000, based on the last Federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Barron	Brassell	Chesnut
Adams	Bassett	Callahan	Collins
Adwell	Benton	Carnes	Connell
Agee	Boles	Carter	Coshatt
Bank	Boutwell	Casey	Cottingham
Barkett	Bowers	Cauthen	Crawford

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Cross	Hardin	Merrill	Smith (P)
Crowe	Headley	Mims	Snell
Culver	Hearn	Naramore	Stewart
Doss	Hill	Nettles	Stokes
Downing	Hobbie	O'Daniel	Stubbs
Drake	Hughes	Owens	Taylor
Easters	Jackson	Perloff	Therrell
Edwards	King	Porter	Timmons
Ellis	Kinsey	Pruitt	Turner
Erdreich	Lang	Reed (T)	Turnham
Falkenburg	Lutz	Reid (R)	Waggoner
Fite	McCluskey	Reynolds	Waldrop
Flippo	McCorquodale	Roberts	Warren
Gafford	McDonald	Robertson	Williams
Goodwin	McMillan	St. John	Wise
Grainger	Mathews	Slate	Wood
Gray (F)	May	Smith (K)	Wynot
Hale			

—93

And the bill:

H. 2183. To amend the title and Section 1 of Act 149, H. 627, Regular Session 1969 (Acts 1969, p. 426), which provides for compensation and expense allowance for the county governing body in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2184. To amend Sections 1, 2, and 3 of Act No. 1856, H. 2614 Regular Session 1971, (Acts 1971, Page 3012), which provides for further

regulating the days, hours, and places of meetings of the board of registrars in counties with a population of not less than 52,500 or more than 54,000, and setting the compensation of it's members, requiring forfeiture of certain compensation for violations, repealing conflicting laws and specifically repealing Act No. 128, H. 366, Regular Session 1969 (Acts 1969, P. 403).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Namore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2196. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, abolishing the Board of Revenue, establishing in lieu thereof a commission and providing for election of a president and members of said commission for the nomination of members thereof from districts herein prescribed and to prescribe the functions, jurisdiction, powers, and duties of such commission and the president and members thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Barron	Brassell	Chesnut
Adams	Bassett	Callahan	Collins
Adwell	Benton	Carnes	Connell
Agee	Boles	Carter	Coshatt
Bank	Boutwell	Casey	Cottingham
Barkett	Bowers	Cauthen	Crawford

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Cross	Hardin	Merrill	Smith (P)
Crowe	Headley	Mims	Snell
Culver	Hearn	Naramore	Stewart
Doss	Hill	Nettles	Stokes
Downing	Hobbie	O'Daniel	Stubbs
Drake	Hughes	Owens	Taylor
Easters	Jackson	Perloff	Therrell
Edwards	King	Porter	Timmons
Ellis	Kinsey	Pruitt	Turner
Erdreich	Lang	Reed (T)	Turnham
Falkenburg	Lutz	Reid (R)	Waggoner
Fite	McCluskey	Reynolds	Waldrop
Flippo	McCorquodale	Roberts	Warren
Gafford	McDonald	Robertson	Williams
Goodwin	McMillan	St. John	Wise
Grainger	Mathews	Slate	Wood
Gray (F)	May	Smith (K)	Wynot
Hale			

—93

And the bill:

H. 2199. To repeal Act No. 165, H. 130, Third Special Session of 1971, (Acts 1971, p. 4413) entitled, "Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; to provide for the payment of a clerk hire allowance in the Probate Judge's office of such counties."

Was taken up.

H. 2199 POSTPONED

On motion of Mr. Casey, the bill, H. 2199, was postponed to the thirty-third legislative day.

And the bill:

H. 2202. To authorize the county governing body in each county having a population of not less than 37,000 nor more than 39,000 according to the most recent federal decennial census, to appropriate not more than \$1.00 per week per prisoner sentenced to hard labor in such counties as a weekly allowance for such prisoners.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cross	Flippo
Adams	Callahan	Crowe	Gafford
Adwell	Carnes	Culver	Goodwin
Agee	Carter	Doss	Grainger
Bank	Casey	Downing	Gray (F)
Barkett	Cauthen	Drake	Hale
Barron	Chesnut	Easters	Hardin
Bassett	Collins	Edwards	Headley
Benton	Connell	Ellis	Hearn
Boles	Coshatt	Erdreich	Hill
Boutwell	Cottingham	Falkenburg	Hobbie
Bowers	Crawford	Fite	Hughes

Jackson	Mims	Roberts	Therrell
King	Naramore	Robertson	Timmons
Kinsey	Nettles	St. John	Turner
Lang	O'Daniel	Slate	Turnham
Lutz	Owens	Smith (K)	Waggoner
McCluskey	Perloff	Smith (P)	Waldrop
McCorquodale	Porter	Snell	Warren
McDonald	Pruitt	Stewart	Williams
McMillan	Reed (T)	Stokes	Wise
Mathews	Reid (R)	Stubbs	Wood
May	Reynolds	Taylor	Wynot
Merrill			

—93

And the bill:

H. 2205. (With Amendment): Relating to all counties having a population of not less than 39,500 nor more than 41,750 according to the last or any subsequent federal decennial census; to declare the public policy with respect to Sunday business activities; to allow the county and municipal governing bodies to adopt rules and regulations and prescribe penalties for Sunday business activities.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend Section 3 of House Bill 2205 by adding at the end of the last sentence in this section the following:

“provided further that any such resolution adopted by any county governing body shall not apply within the police jurisdiction of any incorporated municipality within such county.”

Further amend Section 5 by deleting the whole section and inserting the following in lieu of it:

“Section 5. This act shall become effective ninety (90) days following its passage and approval by the Governor, or upon its otherwise becoming a law.”

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Carter	Easters	Hill
Adams	Casey	Edwards	Hobbie
Adwell	Cauthen	Ellis	Hughes
Agee	Chesnut	Erdreich	Jackson
Bank	Collins	Falkenburg	King
Barkett	Connell	Fite	Kinsey
Barron	Coshatt	Flippo	Lang
Bassett	Cottingham	Gafford	Lutz
Benton	Crawford	Goodwin	McCluskey
Boles	Cross	Grainger	McCorquodale
Boutwell	Crowe	Gray (F)	McDonald
Bowers	Culver	Hale	McMillan
Brassell	Doss	Hardin	Mathews
Callahan	Downing	Headley	May
Carnes	Drake	Hearn	Merrill

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Mims	Reid (R)	Snell	Turnham
Naramore	Reynolds	Stewart	Waggoner
Nettles	Roberts	Stokes	Waldrop
O'Daniel	Robertson	Stubbs	Warren
Owens	St. John	Taylor	Williams
Perloff	Slate	Therrell	Wise
Porter	Smith (K)	Timmons	Wood
Pruitt	Smith (P)	Turner	Wynot
Reed (T)			

—93

And the bill, H. 2205 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2206. Relating to any county having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; granting the county commission, at county expense, the power to authorize work for any municipality in such county in regard to public airports, public schools or work in connection with the building of roads and site preparation for new industry in such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bank	Benton	Brassell
Adams	Barkett	Boles	Callahan
Adwell	Barron	Boutwell	Carnes
Agee	Bassett	Bowers	Carter

Casey	Flippo	McDonald	Slate
Cauthen	Gafford	McMillan	Smith (K)
Chesnut	Goodwin	Mathews	Smith (P)
Collins	Grainger	May	Snell
Connell	Gray (F)	Merrill	Stewart
Coshatt	Hale	Mims	Stokes
Cottingham	Hardin	Naramore	Stubbs
Crawford	Headley	Nettles	Taylor
Cross	Hearn	O'Daniel	Therrell
Crowe	Hill	Owens	Timmons
Culver	Hobbie	Perloff	Turner
Doss	Hughes	Porter	Turnham
Downing	Jackson	Pruitt	Waggoner
Drake	King	Reed (T)	Waldrop
Easters	Kinsey	Reid (R)	Warren
Edwards	Lang	Reynolds	Williams
Ellis	Lutz	Roberts	Wise
Erdreich	McCluskey	Robertson	Wood
Falkenburg	McCorquodale	St. John	Wynot
Fite			

—93

And the bill:

H. 2208. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to set the number of working days for the county board of equalization and to set and pay a travel allowance to the members of the board.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

REGULAR SESSION
32nd Day

4267

And the bill:

H. 2210. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the registration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 33,550 and not more than 34,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2211. Repealing Constitutional Amendment CLXXXIV, relating to the compensation of certain officers of DeKalb County; proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of DeKalb County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bassett	Carnes	Coshatt
Adams	Benton	Carter	Cottingham
Adwell	Boles	Casey	Crawford
Agee	Boutwell	Cauthen	Cross
Bank	Bowers	Chesnut	Crowe
Barkett	Brassell	Collins	Culver
Barron	Callahan	Connell	Doss

Downing	Hill	Naramore	Snell
Drake	Hobbie	Nettles	Stewart
Easters	Hughes	O'Daniel	Stokes
Edwards	Jackson	Owens	Stubbs
Ellis	King	Perloff	Taylor
Erdreich	Kinsey	Porter	Therrell
Falkenburg	Lang	Pruitt	Timmons
Fite	Lutz	Reed (T)	Turner
Flippo	McCluskey	Reid (R)	Turnham
Gafford	McCorquodale	Reynolds	Waggoner
Goodwin	McDonald	Roberts	Waldrop
Grainger	McMillan	Robertson	Warren
Gray (F)	Mathews	St. John	Williams
Hale	May	Slate	Wise
Hardin	Merrill	Smith (K)	Wood
Headley	Mims	Smith (P)	Wynot
Hearn			

And the bill:

H. 2213. (With Amendment): To re-divide the state into judicial circuits so as to create a Thirty-eighth Judicial Circuit consisting of Jackson County and to create a new judgeship and a new district attorney's position.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Delete Section 6, on page 2, and insert in lieu thereof the following new Section 6:

Section 6. A district attorney for the newly created Thirty-eighth Judicial Circuit shall be appointed by the Governor for a term to expire at the next general election for state officers or until his successor is elected and qualified. At the general election for state officers to be held in November, 1974, and every four (4) years thereafter said district attorney shall be elected by the qualified electors composing said judicial circuit in the same manner as other district attorneys in the state are elected.

Also, delete Section 9, on page 2, and insert in lieu thereof the following new Section 9:

Section 9. This Act shall become effective on January 1, 1974.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cottingham	Erdreich
Adams	Brassell	Crawford	Falkenburg
Adwell	Callahan	Cross	Fite
Agee	Carnes	Crowe	Flippo
Bank	Carter	Culver	Gafford
Barkett	Casey	Doss	Goodwin
Barron	Cauthen	Downing	Grainger
Bassett	Chesnut	Drake	Gray (F)
Benton	Collins	Easters	Hale
Boles	Connell	Edwards	Hardin
Boutwell	Coshatt	Ellis	Headley

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4269

Hearn	Mathews	Reid (R)	Taylor
Hill	May	Reynolds	Therrell
Hobbie	Merrill	Roberts	Timmons
Hughes	Mims	Robertson	Turner
Jackson	Naramore	St. John	Turnham
King	Nettles	Slate	Waggoner
Kinsey	O'Daniel	Smith (K)	Waldrop
Lang	Owens	Smith (P)	Warren
Lutz	Perloff	Snell	Williams
McCluskey	Porter	Stewart	Wise
McCorquodale	Pruitt	Stokes	Wood
McDonald	Reed (T)	Stubbs	Wynot
McMillan			

—93

And the bill, H. 2213 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flipppo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2217. Relating to all counties having a population of not less than 26,000 nor more than 26,800 according to the most recent federal decennial census, providing that the Judge of Probate of said counties may elect to become exempt from the provisions of Act No. 606, S. 112, Regular Session 1969.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

Brassell	Erdreich	McCluskey	St. John
Callahan	Falkenburg	McCorquodale	Slate
Carnes	Fite	McDonald	Smith (K)
Carter	Flippo	McMillan	Smith (P)
Casey	Gafford	Mathews	Snell
Cauthen	Goodwin	May	Stewart
Chesnut	Grainger	Merrill	Stokes
Collins	Gray (F)	Mims	Stubbs
Connell	Hale	Namamore	Taylor
Coshatt	Hardin	Nettles	Therrell
Cottingham	Headley	O'Daniel	Timmons
Crawford	Hearn	Owens	Turner
Cross	Hill	Perloff	Turnham
Crowe	Hobbie	Porter	Waggoner
Culver	Hughes	Pruitt	Waldrop
Doss	Jackson	Reed (T)	Warren
Downing	King	Reid (R)	Williams
Drake	Kinsey	Reynolds	Wise
Easters	Lang	Roberts	Wood
Edwards	Lutz	Robertson	Wynot
Ellis			

—93

And the bill:

H. 2218. Relating to all counties having a population of not less than 16,350 nor more than 16,650 according to the most recent federal decennial census, providing that the Judge of Probate of said counties may elect to become exempt from the provisions of Act No. 606, S. 112, Regular Session 1969.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Namamore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

REGULAR SESSION
32nd Day

4271

And the bill:

H. 2219. To propose an amendment to the Constitution of Alabama that would authorize the governing body of Shelby County, Alabama to form districts within Shelby County for the establishment and maintenance of a system for fighting and preventing fires; for the collection and disposal of trash; for supplying water services; for the collection and treatment and disposal of sewage; for the operation of emergency medical services including ambulance services; and for other similar local type services; and to provide for the administration of such services within such districts including the levy and collection of charges for such services.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

H. 2220. Relating to counties having a population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census; authorizing the sheriff of any such county to temporarily release certain prisoners held in the county jail for work at his discretion, and to provide for the allocation of all payment received by such prisoners for said work to the juvenile court of any such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

Brassell	Erdreich	McCluskey	St. John
Callahan	Falkenburg	McCorquodale	Slate
Carnes	Fite	McDonald	Smith (K)
Carter	Flippo	McMillan	Smith (P)
Casey	Gafford	Mathews	Snell
Cauthen	Goodwin	May	Stewart
Chesnut	Grainger	Merrill	Stokes
Collins	Gray (F)	Mims	Stubbs
Connell	Hale	Naramore	Taylor
Coshatt	Hardin	Nettles	Therrell
Cottingham	Headley	O'Daniel	Timmons
Crawford	Hearn	Owens	Turner
Cross	Hill	Perloff	Turnham
Crowe	Hobbie	Porter	Waggoner
Culver	Hughes	Pruitt	Waldrop
Doss	Jackson	Reed (T)	Warren
Downing	King	Reid (R)	Williams
Drake	Kinsey	Reynolds	Wise
Easters	Lang	Roberts	Wood
Edwards	Lutz	Robertson	Wynot
Ellis			

—93

And the bill:

H. 2222. Relating to all counties having populations of not less than 30,000 nor more than 33,575; providing for the compensation of bailiffs; and providing that the provisions of this act shall be given retroactive effect to January 1, 1973.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

REGULAR SESSION
32nd Day

4273

And the bill:

S. 170. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 190. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cross	Flippo
Adams	Callahan	Crowe	Gafford
Adwell	Carnes	Culver	Goodwin
Agee	Carter	Doss	Grainger
Bank	Casey	Downing	Gray (F)
Barkett	Cauthen	Drake	Hale
Barron	Chesnut	Easters	Hardin
Bassett	Collins	Edwards	Headley
Benton	Connell	Ellis	Hearn
Boles	Coshatt	Erdreich	Hill
Boutwell	Cottingham	Falkenburg	Hobbie
Bowers	Crawford	Fite	Hughes

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Jackson	Mims	Roberts	Therrell
King	Naramore	Robertson	Timmons
Kinsey	Nettles	St. John	Turner
Lang	O'Daniel	Slate	Turnham
Lutz	Owens	Smith (K)	Waggoner
McCluskey	Perloff	Smith (P)	Waldrop
McCorquodale	Porter	Snell	Warren
McDonald	Pruitt	Stewart	Williams
McMillan	Reed (T)	Stokes	Wise
Mathews	Reid (R)	Stubbs	Wood
May	Reynolds	Taylor	Wynot
Merrill			

—93

And the bill:

S. 191. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 192. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

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Brassell	Erdreich	McCluskey	St. John
Callahan	Falkenburg	McCorquodale	Slate
Carnes	Fite	McDonald	Smith (K)
Carter	Flippo	McMillan	Smith (P)
Casey	Gafford	Mathews	Snell
Cauthen	Goodwin	May	Stewart
Chesnut	Grainger	Merrill	Stokes
Collins	Gray (F)	Mims	Stubbs
Connell	Hale	Naramore	Taylor
Coshatt	Hardin	Nettles	Therrell
Cottingham	Headley	O'Daniel	Timmons
Crawford	Hearn	Owens	Turner
Cross	Hill	Perloff	Turnham
Crowe	Hobbie	Porter	Waggoner
Culver	Hughes	Pruitt	Waldrop
Doss	Jackson	Reed (T)	Warren
Downing	King	Reid (R)	Williams
Drake	Kinsey	Reynolds	Wise
Easters	Lang	Roberts	Wood
Edwards	Lutz	Robertson	Wynot
Ellis			

—93

And the bill:

S. 193. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 194. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 461. (With Amendment): To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in judicial circuits composed of one county and having not less than four nor more than six Circuit Judges.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend S. B. 461, Section 1, by striking the figures "40%" in line six of said section and inserting in lieu thereof the following: "25%".

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cottingham	Erdreich
Adams	Brassell	Crawford	Falkenburg
Adwell	Callahan	Cross	Fite
Agee	Carnes	Crowe	Flippo
Bank	Carter	Culver	Gafford
Barkett	Casey	Doss	Goodwin
Barron	Cauthen	Downing	Grainger
Bassett	Chesnut	Drake	Gray (F)
Benton	Collins	Easters	Hale
Boles	Connell	Edwards	Hardin
Boutwell	Coshatt	Ellis	Headley

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Hearn	Mathews	Reid (R)	Taylor
Hill	May	Reynolds	Therrell
Hobbie	Merrill	Roberts	Timmons
Hughes	Mims	Robertson	Turner
Jackson	Naramore	St. John	Turnham
King	Nettles	Slate	Waggoner
Kinsey	O'Daniel	Smith (K)	Waldrop
Lang	Owens	Smith (P)	Warren
Lutz	Perloff	Snell	Williams
McCluskey	Porter	Stewart	Wise
McCorquodale	Pruitt	Stokes	Wood
McDonald	Reed (T)	Stubbs	Wynot
McMillan			

—93

And the bill, S. 461 as thus amended, was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 566. To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

Brassell	Erdreich	McCluskey	St. John
Callahan	Falkenburg	McCorquodale	Slate
Carnes	Fite	McDonald	Smith (K)
Carter	Flippo	McMillan	Smith (P)
Casey	Gafford	Mathews	Snell
Cauthen	Goodwin	May	Stewart
Chesnut	Grainger	Merrill	Stokes
Collins	Gray (F)	Mims	Stubbs
Connell	Hale	Naramore	Taylor
Coshatt	Hardin	Nettles	Therrell
Cottingham	Headley	O'Daniel	Timmons
Crawford	Hearn	Owens	Turner
Cross	Hill	Perloff	Turnham
Crowe	Hobbie	Porter	Waggoner
Culver	Hughes	Pruitt	Waldrop
Doss	Jackson	Reed (T)	Warren
Downing	King	Reid (R)	Williams
Drake	Kinsey	Reynolds	Wise
Easters	Lang	Roberts	Wood
Edwards	Lutz	Robertson	Wynot
Ellis			

—93

And the bill:

S. 584. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of offices in Morgan County.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 610. To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more

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than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 634. Relating to counties having a population of not less than 23,934 nor more than 24,460: To regulate further the allowances, fees, deputies, equipment and maintenance of the Sheriff's Department.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Carter	Easters	Hill
Adams	Casey	Edwards	Hobbie
Adwell	Cauthen	Ellis	Hughes
Agee	Chesnut	Erdreich	Jackson
Bank	Collins	Falkenburg	King
Barkett	Connell	Fite	Kinsey
Barron	Coshatt	Flippo	Lang
Bassett	Cottingham	Gafford	Lutz
Benton	Crawford	Goodwin	McCluskey
Boles	Cross	Grainger	McCorquodale
Boutwell	Crowe	Gray (F)	McDonald
Bowers	Culver	Hale	McMillan
Brassell	Doss	Hardin	Mathews
Callahan	Downing	Headley	May
Carnes	Drake	Hearn	Merrill

Mims	Reid (R)	Snell	Turnham
Naramore	Reynolds	Stewart	Waggoner
Nettles	Roberts	Stokes	Waldrop
O'Daniel	Robertson	Stubbs	Warren
Owens	St. John	Taylor	Williams
Perloff	Slate	Therrell	Wise
Porter	Smith (K)	Timmons	Wood
Pruitt	Smith (P)	Turner	Wynot
Reed (T)			

—93

And the bill:

S. 678. Relating to Counties having populations of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the County governing body and the governing bodies of Municipalities in such Counties to adopt ordinances which protect the historic architectural character of the County, including designating historic districts, creating certain agencies to regulate and promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 686. To amend Act No. 1405, S. 1058, Regular Session 1971 (Acts 1971, p. 2373), which act provides for levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; provides for the administration of the act and the collection and the distribution of the proceeds of the tax; and prescribes penalties for violation, in counties having a population of not less than 52,500 nor more than 54,000.

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Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 772. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Falkenburg	Lang
Adams	Chesnut	Fite	Lutz
Adwell	Collins	Flippo	McCluskey
Agee	Connell	Gafford	McCorquodale
Bank	Coshatt	Goodwin	McDonald
Barkett	Cottingham	Grainger	McMillan
Barron	Crawford	Gray (F)	Mathews
Bassett	Cross	Hale	May
Benton	Crowe	Hardin	Merrill
Boles	Culver	Headley	Mims
Boutwell	Doss	Hearn	Naramore
Bowers	Downing	Hill	Nettles
Brassell	Drake	Hobbie	O'Daniel
Callahan	Easters	Hughes	Owens
Carnes	Edwards	Jackson	Perloff
Carter	Ellis	King	Porter
Casey	Erdreich	Kinsey	Pruitt

Reed (T)	Smith (K)	Taylor	Waldrop
Reid (R)	Smith (P)	Therrell	Warren
Reynolds	Snell	Timmons	Williams
Roberts	Stewart	Turner	Wise
Robertson	Stokes	Turnham	Wood
St. John	Stubbs	Waggoner	Wynot
Slate			

—93

And the bill:

S. 773. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 789. To amend Act No. 487, S. 919, Regular Session 1971, relating to all counties having a population of not less than 23,900 nor more than 24,450 according to the last or any subsequent federal decennial census, further providing for an expense allowance for members of the county board of education.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Agee	Barron	Boles
Adams	Bank	Bassett	Boutwell
Adwell	Barkett	Benton	Bowers

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Brassell	Erdreich	McCluskey	St. John
Callahan	Falkenburg	McCorquodale	Slate
Carnes	Fite	McDonald	Smith (K)
Carter	Flippo	McMillan	Smith (P)
Casey	Gafford	Mathews	Snell
Cauthen	Goodwin	May	Stewart
Chesnut	Grainger	Merrill	Stokes
Collins	Gray (F)	Mims	Stubbs
Connell	Hale	Naramore	Taylor
Coshatt	Hardin	Nettles	Therrell
Cottingham	Headley	O'Daniel	Timmons
Crawford	Hearn	Owens	Turner
Cross	Hill	Perloff	Turnham
Crowe	Hobbie	Porter	Waggoner
Culver	Hughes	Pruitt	Waldrop
Doss	Jackson	Reed (T)	Warren
Downing	King	Reid (R)	Williams
Drake	Kinsey	Reynolds	Wise
Easters	Lang	Roberts	Wood
Edwards	Lutz	Robertson	Wynot
Ellis			

—93

And the bill:

S. 790. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; setting the compensation of supernumerary probate judges and providing for a supplment from the general funds of such counties under certain circumstances.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 792. Relating to Conecuh County; to provide further for deputies for the sheriff.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 793. To provide for additional clerical assistance and an additional clerk hire allowance for the office of judge of probate of Conecuh County.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Carter	Easters	Hill
Adams	Casey	Edwards	Hobbie
Adwell	Cauthen	Ellis	Hughes
Agee	Chesnut	Erdreich	Jackson
Bank	Collins	Falkenburg	King
Barkett	Connell	Fite	Kinsey
Barron	Coshatt	Flippo	Lang
Bassett	Cottingham	Gafford	Lutz
Benton	Crawford	Goodwin	McCluskey
Boles	Cross	Grainger	McCorquodale
Boutwell	Crowe	Gray (F)	McDonald
Bowers	Culver	Hale	McMillan
Brassell	Doss	Hardin	Mathews
Callahan	Downing	Headley	May
Carnes	Drake	Hearn	Merrill

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Mims	Reid (R)	Snell	Turnham
Naramore	Reynolds	Stewart	Waggoner
Nettles	Roberts	Stokes	Waldrop
O'Daniel	Robertson	Stubbs	Warren
Owens	St. John	Taylor	Williams
Perloff	Slate	Therrell	Wise
Porter	Smith (K)	Timmons	Wood
Pruitt	Smith (P)	Turner	Wynot
Reed (T)			

—93

And the bill:

S. 798. To amend Sections 2 and 3 of Act No. 1126, S. 378, Regular Session 1969 (Acts 1969, p. 2084) so as to provide for the designation of State Planning and Development Districts and the establishment of Regional Planning and Development Commissions in counties having a population between 93,000 and 100,000 persons, according to the most recent federal decennial census; and further defines the duties and authority of regional planning commissions in said counties.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 807. (With Amendment): To amend Section 1 of Act No. 37, H. 66 Organizational, Special and Regular Sessions 1971 (Acts 1971, p. 4170) as amended which applies in Shelby County, designing the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend Section 1 of the bill by amending Section 1 (a) of the amended act by striking the number "3" in front of the word Matrons and inserting in lieu thereof the number 4.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill, S. 807 as thus amended, was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Collins	Goodwin	Mathews
Adams	Connell	Grainger	May
Adwell	Coshatt	Gray (F)	Merrill
Agee	Cottingham	Hale	Mims
Bank	Crawford	Hardin	Naramore
Barkett	Cross	Headley	Nettles
Barron	Crowe	Hearn	O'Daniel
Bassett	Culver	Hill	Owens
Benton	Doss	Hobbie	Perloff
Boles	Downing	Hughes	Porter
Boutwell	Drake	Jackson	Pruitt
Bowers	Easters	King	Reed (T)
Brassell	Edwards	Kinsey	Reid (R)
Callahan	Ellis	Lang	Reynolds
Carnes	Erdreich	Lutz	Roberts
Carter	Falkenburg	McCluskey	Robertson
Casey	Fite	McCorquodale	St. John
Cauthen	Flippo	McDonald	Slate
Chesnut	Gafford	McMillan	Smith (K)

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Smith (P)	Taylor	Turnham	Williams
Snell	Therrell	Waggoner	Wise
Stewart	Timmons	Waldrop	Wood
Stokes	Turner	Warren	Wynot
Stubbs			

—93

And the bill:

S. 815. Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 818. To regulate the compensation of members of the county board of education in all counties having populations of not less than 16,350 nor more than 16,650, and to validate, ratify and confirm all expenditures of funds heretofore paid to members of any county board of education operating in said county prior to the effective date of this act.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 820. Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Hardin	O'Daniel
Adams	Cottingham	Headley	Owens
Adwell	Crawford	Hearn	Perloff
Agee	Cross	Hill	Porter
Bank	Crowe	Hobbie	Pruitt
Barkett	Culver	Hughes	Reed (T)
Barron	Doss	Jackson	Reid (R)
Bassett	Downing	King	Reynolds
Benton	Drake	Kinsey	Roberts
Boles	Easters	Lang	Robertson
Boutwell	Edwards	Lutz	St. John
Bowers	Ellis	McCluskey	Slate
Brassell	Erdreich	McCorquodale	Smith (K)
Callahan	Falkenburg	McDonald	Smith (P)
Carnes	Fite	McMillan	Snell
Carter	Flippo	Mathews	Stewart
Casey	Gafford	May	Stokes
Cauthen	Goodwin	Merrill	Stubbs
Chesnut	Grainger	Mims	Taylor
Collins	Gray (F)	Naramore	Therrell
Connell	Hale	Nettles	Timmons

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Turner
Turnham
Waggoner

Waldrop
Warren

Williams
Wise

Wood
Wynot

—93

And the bill:

S. 821. To repeal Act No. 197, H. 525, Regular Session 1959 (Acts 1959, p. 732) entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census."

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Bowers
Brassell
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham
Crawford

Cross
Crowe
Culver
Doss
Downing
Drake
Easters
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Gray (F)
Hale
Hardin
Headley
Hearn
Hill
Hobbie

Hughes
Jackson
King
Kinsey
Lang
Lutz
McCluskey
McCorquodale
McDonald
McMillan
Mathews
May
Merrill
Mims
Naramore
Nettles
O'Daniel
Owens
Perloff
Porter
Pruitt
Reed (T)
Reid (R)

Reynolds
Roberts
Robertson
St. John
Slate
Smith (K)
Smith (P)
Snell
Stewart
Stokes
Stubbs
Taylor
Therrell
Timmons
Turner
Turnham
Waggoner
Warren
Williams
Wise
Wood
Wynot

—93

And the bill:

S. 826. Relating to Dale County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes and for the collection of delinquent privilege license fees under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor, tax collector and license inspector in Dale County, providing for the duties of the office of license inspector of Dale County temporarily to be performed by the tax collector of Dale County and thereafter to be performed by the county revenue commission created by this Act; repealing conflicting laws; and prescribing the effective date of this Act.

Was taken up.

S. 826 POSTPONED

On motion of Mr. Barkett, the bill, S. 826, was postponed to the thirty-fourth legislative day.

And the bill:

S. 827. Relating to the minimum compensation of deputy sheriffs in Dale County.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Crowe	Jackson	Roberts
Adwell	Culver	King	Robertson
Agee	Doss	Kinsey	St. John
Bank	Downing	Lang	Slate
Barkett	Drake	Lutz	Smith (K)
Barron	Easters	McCluskey	Smith (P)
Bassett	Edwards	McCorquodale	Snell
Benton	Ellis	McDonald	Stewart
Boles	Erdreich	McMillan	Stokes
Boutwell	Falkenburg	Mathews	Stubbs
Bowers	Fite	May	Taylor
Brassell	Flippo	Merrill	Therrell
Callahan	Gafford	Mims	Timmons
Carnes	Goodwin	Naramore	Turner
Carter	Grainger	Nettles	Turnham
Casey	Gray (F)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Warren
Collins	Headley	Porter	Williams
Connell	Hearn	Pruitt	Wise
Coshatt	Hill	Reed (T)	Wood
Cottingham	Hobbie	Reid (R)	Wynot
Crawford			

—93

And the bill:

S. 829. To provide for a personnel appeals board for Dale County; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said county.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Callahan	Culver	Grainger
Adams	Carnes	Doss	Gray (F)
Adwell	Carter	Downing	Hale
Agee	Casey	Drake	Hardin
Bank	Cauthen	Easters	Headley
Barkett	Chesnut	Edwards	Hearn
Barron	Collins	Ellis	Hill
Bassett	Connell	Erdreich	Hobbie
Benton	Coshatt	Falkenburg	Hughes
Boles	Cottingham	Fite	Jackson
Boutwell	Crawford	Flippo	King
Bowers	Cross	Gafford	Kinsey
Brassell	Crowe	Goodwin	Lang

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Lutz	O'Daniel	St. John	Timmons
McCluskey	Owens	Slate	Turner
McCorquodale	Perloff	Smith (K)	Turnham
McDonald	Porter	Smith (P)	Waggoner
McMillan	Pruitt	Snell	Waldrop
Mathews	Reed (T)	Stewart	Warren
May	Reid (R)	Stokes	Williams
Merrill	Reynolds	Stubbs	Wise
Mims	Roberts	Taylor	Wood
Naramore	Robertson	Therrell	Wynot
Nettles			

—93

H. 1260 RECOMMITTED

On motion of Mr. Taylor to recommit, the Speaker recommitted the bill, H. 1260, to the Standing Committee on Local Legislation No. 4.

And the bill:

H. 1795. To amend the Title and Sections 3, 10, 11, 14 and 16 of Act No. 2079 adopted at the 1971 Regular Session of the Legislature of Alabama, pertaining to municipal parking authorities incorporated in cities having a population of 300,000 or more according to the last or any subsequent federal census, which sections relate to the definitions set forth in said act, the powers of such authorities, the operation or leasing of parking facilities by such authorities, the bonds of such authorities and security therefor, so as to clarify and grant additional powers regarding the issuance of bonds, the security therefor, the leasing and sale of such facilities and other matters and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act as amended, notwithstanding subsequent changes in the population of the city authorizing its incorporation.

Mr. Hughes offered the following amendment to the bill:

1. In Section 1, by striking out the words "including the power of eminent domain" where they appear in the proposed new title of Act No. 2079 of the 1971 Regular Session of the Legislature.

2. In Section 2, by striking out the words "eminent domain" where they appear in the proposed amended Section 10 of Act. No. 2079 adopted at the 1971 Regular Session of the Legislature.

AMENDMENT TABLED

On motion of Mr. Erdreich, the amendment offered by Mr. Hughes was tabled.

Yeas 10; Nays 8.

Yeas:

Messrs.:	Erdreich	McMillan	St. John
Boutwell	Falkenburg	McNair	Wallace
Doss	McDonald	Meeks	

—10

Nays:

Messrs.:	Ellis	Hughes	Waggoner
Adwell	Gafford	McBride	Waldrop
Bowers			

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Mr. Ellis offered the following amendment #1 to the bill, H. 1795:

Section 3 of H. 1795 is hereby amended by adding at the end of clause (5) of Section 10 of proposed amended Act No. 2079 adopted at the 1971 Regular Session of the Legislature, the following additional proviso: "and provided further that no such Authority shall acquire or lease real property which would provide off-street parking facilities so as to enable merchants unfairly to compete with other merchants who have provided off-street parking facilities to serve their own establishments and customers."

AMENDMENT TABLED

On motion of Mr. Erdreich, the amendment #1 offered by Mr. Ellis to the bill, H. 1795, was tabled.

Yeas 10; Nays 7.

Yeas:

Messrs.:	Erdreich	McMillan	St. John	
Boutwell	Falkenburg	McNair	Wallace	
Doss	McDonald	Meeks		—10

Nays:

Messrs.:	Boutwell	Gafford	Waggoner	
Adwell	Ellis	Hughes	Wallace	
				—7

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Mr. Ellis offered the following amendment #2 to the bill, H. 1795:

Section 3 of H. 1795 is hereby amended by adding at the end of clause (5) of Section 10 of proposed amended Act No. 2079 adopted at the 1971 Regular Session of the Legislature, the following additional proviso: "and provided further that no such Authority shall acquire or lease real property already used for off-street parking."

AMENDMENT TABLED

On motion of Mr. Erdreich, the amendment offered by Mr. Ellis was tabled.

Yeas 9; Nays 8.

Yeas:

Messrs.:	Erdreich	McNair	St. John	
Boutwell	Falkenburg	Meeks	Wallace	
Doss	McDonald			—9

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Nays:

Messrs.:	Ellis	Hughes	Waggoner
Adwell	Gafford	McBride	Waldrop
Bowers			

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Mr. Ellis offered the following amendment #3 to the bill, H. 1795:

Section 5 of House 1795 is hereby amended by striking out the words "Bonds of the Authority may be sold at public or private sale in such manner and from time to time as may be determined by the Board" where they appear in proposed amended Section 14 of Act. No. 2079 of the 1971 Regular Session of the Legislature, and inserting in lieu there of, "Bonds of the Authority shall be sold at public sale in the manner required by law for the sale of bonds of the city in which the Authority was incorporated."

AMENDMENT TABLED

On motion of Mr. Erdreich the amendment offered by Mr. Ellis was tabled.

Yeas 10; Nays 7.

Yeas:

Messrs.:	Erdreich	McMillan	St. John
Boutwell	Falkenburg	McNair	Wallace
Doss	McDonald	Meeks	

—10

Nays:

Messrs.:	Bowers	Gafford	McBride
Adwell	Ellis	Hughes	Waggoner

—7

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Mr. Ellis offered the following amendment #4 to the bill, H. 1795:

In Section 1 the words "to authorize the City to lease parking facilities from the Authority" where they appear in the proposed amended title of Act No. 2079 adopted at the 1971 Regular Session of the Legislature are hereby stricken.

In Section 4 of said bill strike out the last paragraph of the proposed amended Section 11 of Act No. 2079 of the 1971 Legislature which purports to authorize the City to lease parking facilities from any Authority for terms up to thirty years.

AMENDMENT TABLED

On motion of Mr. Erdreich, the amendment offered by Mr. Ellis to the bill, H. 1795, was tabled.

Yeas 11; Nays 7.

Yeas:

Messrs.:
Boutwell
Doss

Erdreich
Falkenburg
McDonald

McMillan
McNair
Meeks

St. John
Stewart
Wallace

—11

Nays:

Messrs.:
Adwell

Bowers
Ellis

Gafford
Hughes

McBride
Waggoner

—7

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Mr. Ellis offered the following amendment #5 to the bill, H. 1795:

Section 4 of H. 1795 is hereby amended by adding at the end of proposed amended Section 11 of Act No. 2079 adopted at the 1971 Regular Session of the Legislature the following additional provision: "Provided, however, that the city shall not enter into any lease unless it shall pledge and assign thereto the proceeds of a tax, either ad valorem or special privilege or license, reasonably estimated to be sufficient to provide for the payment of the annual rent to become due under the terms of such lease agreement in the event that parking revenues therefrom in any year be insufficient to provide the cost of maintenance and operation of said parking facilities and the payment of such lease rentals."

AMENDMENT TABLED

On motion of Mr. Erdreich, the amendment offered by Mr. Ellis to the bill, H. 1795, was tabled.

Yeas 10; Nays 7.

Yeas:

Messrs.:
Boutwell
Doss

Erdreich
Falkenburg
McDonald

McMillan
McNair
Meeks

St. John
Wallace

—10

Nays:

Messrs.:
Adwell

Boles
Bowers

Ellis
Hughes

McBride
Wallace

—7

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

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Mr. Ellis offered the following amendment #6 to the bill, H. 1795:

The Clerk reported that there was a quorum present.

H. 1795 is hereby amended by adding at the end of Section 4 thereof, and as a part of the proposed amended Section 11 of Act No. 2079 adopted at the 1971 Regular Session of the Legislature, the following: "Provided, however, that no lease of parking facilities to the city authorized by the preceding paragraph shall become effective until the lease, including a description of the property to be leased, the rent to be paid for the property leased each year, and the aggregate of rent to be paid thereunder by the city shall have been first submitted to the qualified electors of the city voting at an election called and held for that purpose in the manner provided by the Constitution and laws of the State for holding elections to approve the issuance of bonds by the city and a majority of the qualified electors voting at such election shall have voted in favor of such lease.

AMENDMENT TABLED

On motion of Mr. Erdreich, the amendment offered by Mr. Ellis to the bill, H. 1795, was tabled.

Yeas 10; Nays 7.

Yeas:

Messrs.:	Erdreich	McMillan	St. John	
Boutwell	Falkenburg	McNair	Wallace	
Doss	McDonald	Meeks		—10

Nays:

Messrs.:	Boles	Ellis	McBride	
Adwell	Bowers	Hughes	Waggoner	
				—7

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO POSTPONE LOST

The motion by Mr. Gafford to postpone the bill H. 1795, to the thirty-third legislative day was lost.

And the bill, H. 1795, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 12; Nays 6.

Yeas:

Messrs.:	Ellis	McDonald	Meeks	
Boutwell	Erdreich	McMillan	St. John	
Carnes	Falkenburg	McNair	Wallace	
Doss				—12

Nays:

Messrs.:	Bowers	Hughes	Waggoner	
Boles	Gafford	McBride		—6

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Lyons:

H. J. R. 222. CHANGING THE NAME OF THE ALABAMA HIGH SCHOOL OF THE FINE ARTS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state institution now designated as the Alabama High School of the Fine Arts, created by Act No. 1203, H. J. R. 145, Regular Session, 1971 (Acts 1971, p. 2089), shall be hereafter designated and known as the Alabama School of Fine Arts.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor or as otherwise provided in Article 5, Section 125 of the Constitution.

The resolution, H. J. R. 222, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Bank, Parker and Robertson:

H. J. R. 223. DESIGNATING THE STREET WHICH COMMENCES AT THE POINT WHERE NINTH STREET AND FIFTEENTH STREET COMBINE AND RUNS TO THE TUSCALOOSA COUNTY LINE THE "CULVER ROAD."

WHEREAS John Culver has contributed immeasurably to the well-being of the people of Tuscaloosa County during his two terms in the State Legislature. Mr. Culver's efforts were most instrumental in securing important highway developments in the county; and

WHEREAS this legislature feels that it should pay tribute to the works of John Culver for he has shown himself to be a member of that great body of good men who dedicate their lives to public service and the betterment of mankind; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we pay tribute to the works of John Culver of Tuscaloosa County and hereby designate that the street in the City of Tuscaloosa that commences where Ninth Street and Fifteenth Street combine and runs to the county line which heretofore has been commonly known as the "Eutaw Highway" shall hereafter be known as the "Culver Road."

BE IT FURTHER RESOLVED, That the Director of the State Highway Department shall be required to erect distinctive and appropriate signs designating said street the "Culver Road."

The resolution, H. J. R. 223, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Turnham:

H. J. R. 224. APPOINTING A JOINT COMMITTEE OF THE LEGISLATURE TO STUDY THE PROBLEMS OF THE AGING AND RETIRED PEOPLE OF ALABAMA.

WHEREAS due to vast improvements in medicine, living conditions and the availability of needed health services, citizens of this State and Nation are living longer and more productive lives; and

WHEREAS this creates many problems and conditions which are new and require different solutions than have been faced by past generations; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a Joint Legislative Committee composed of four (4) Representatives appointed by the Speaker of the House, and three (3) Senators appointed by the Lieutenant Governor to study and investigate the problems of the aging and retired people of Alabama and to submit a comprehensive report of its findings and recommendations to the Legislature within ten (10) days after the beginning of the next regular session of the Legislature.

BE IT FURTHER RESOLVED, That the members of the Joint Legislative Committee on Aging and Retired People of Alabama shall select a chairman and a vice-chairman from among their number; that they shall meet from time to time during the interim between regular sessions; that the members of such committee shall serve with regular compensation; and that the committee shall take such steps as are necessary for the performance of its duties. However, such committee shall meet for not more than twelve (12) days with compensation.

The resolution, H. J. R. 224, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 158. To regulate further the powers and authority of municipalities in counties having populations of 500,000 or more relative to the levy, imposition, assessment or collection of licenses, excises, taxes or other fees on the possession, sale, distribution and use of malt or brewed beverages or of tobacco products within their police jurisdiction, but outside their corporate limits.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 16; Nays 0.

Yeas:

Messrs.:	Carnes	Grainger	McMillan
Adwell	Doss	Hughes	Roberts
Bank	Downing	King	Stokes
Boles	Falkenburg	Lutz	Timmons
Boutwell			

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 159. (With Amendment): To amend further Code of Alabama 1940, Title 37, Section 733, as amended, which grants cities and towns within the state the authority to fix and collect licenses for any business, trade or profession done within the police jurisdiction but outside their corporate limits, so as to withdraw such power from cities and towns within counties having populations of more than 500,000 and vest in such cities and towns in lieu thereof the power to fix and collect, by contract, reasonable fees for each particular governmental service rendered to a business, trade or profession located within such area.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend H. B. 159 by adding to the end of Section 1 thereof the following:

"Provided, however, the provisions of this Act shall not apply to cities over 300,000 in any said county."

And the amendment was adopted.

Yeas 13; Nays 0.

Yeas:

Messrs.:	Downing	King	Weeks
Adwell	Ellis	Lutz	Slate
Boutwell	Grainger	McMillan	Timmons
Carnes	Hughes		

—13

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 159, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 10; Nays 0.

Yeas:

Messrs.:	Carnes	Lutz	Slate
Adwell	Hughes	McMillan	Timmons
Boutwell	King	Weeks	

—10

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

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The Clerk reported that there was a quorum present.

And the bill:

H. 945. To provide for the exemption of those cities or towns within counties of 500,000 or more population from the provisions of Title 37 Section 733, Alabama Code 1940, with regard to cities or towns collecting business, trade, or professional licenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 11; Nays 1.

Yeas:

Messrs.:	Bowers	Hughes	McMillan
Adwell	Carnes	King	McNair
Boutwell	Ellis	Lutz	Timmons

—11

Nay: Mr. Meeks. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

SPECIAL ORDER

The House then proceeded with the consideration of the Special Order.

And the bill:

H. 1590. To amend Section 2 of Act No. 474, H. 202, of the 1961 Regular Session of the Legislature of Alabama entitled "An Act providing for the relocation of utility facilities when necessitated by federal-aid highway system projects; providing for the payment of the costs of such relocations by the State as highway construction costs upon federal participation and federal funds being actually collected by the State; prescribing the authority of the State Highway Director in regard thereto; providing for the method of paying or reimbursing said utilities; and repealing all conflicting laws."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 1.

Yeas:

Messrs.:	Brassell	Crawford	Flippo
Adams	Callahan	Cross	Goodwin
Adwell	Carnes	Crowe	Grainger
Agee	Carter	Culver	Grey (D)
Barron	Cauthen	Doss	Hale
Benton	Chesnut	Downing	Headley
Boles	Collins	Edwards	Hearn
Boutwell	Connell	Ellis	Hill
Bowers	Cottingham	Erdreich	Hobbie

Hughes	May	Reed (T)	Turner
Jackson	Meeks	Reid (R)	Waggoner
King	Merrill	Reynolds	Waldrop
Kinsey	Naramore	Roberts	Wallace
Lang	Nettles	St. John	Warren
Lutz	Parker	Smith (P)	Williams
McBride	Perloff	Stewart	Wise
McMillan	Porter	Stokes	Wood
McNair	Pruitt	Therrell	Wynot

—71

Nay: Mr. Slate.

—1

UNANIMOUS CONSENT GRANTED

At the request of Mr. Reynolds, unanimous consent was granted for the Journal to show him voting "Nay" on the bill, H. 1590.

NOTICE IN WRITING

Mr. Gray (F) filed the following Notice in Writing:

Having voted on the prevailing side by which House Bill No. 2078 passed, I now move the House to reconsider House Bill No. 2078.

MOTION TO RECONSIDER ADOPTED

Having previously filed a Notice in Writing and voted on the prevailing side, Mr. Gray (F) moved to reconsider the vote by which the bill, H. 2078, was passed.

MOTION TO TABLE LOST

The motion offered by Mr. Reed (T) to table the motion offered by Mr. Gray (F) to reconsider the bill, H. 2078, was lost.

Yeas 18; Nays 24.

Yeas:

Messrs.:	Downing	Hearn	Stokes
Barron	Falkenburg	Hobbie	Stubbs
Bassett	Fite	May	Turner
Callahan	Hardin	Mims	Warren
Cottingham	Headley	Smith (K)	

—18

Nays:

Messrs.:	Crawford	Grey (D)	McNair
Adams	Cross	Hale	Meeks
Bank	Culver	Hill	Pruitt
Bowers	Flippo	King	Slate
Carter	Grainger	Lutz	Therrell
Cauthen	Gray (F)	McMillan	Wood
Connell			

—24

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

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The question was then on the motion offered by Mr. Gray (F) to reconsider, and the motion was adopted.

Yeas 31; Nays 18.

Yeas:

Messrs.:	Crawford	Hearn	Porter
Adams	Cross	Hill	Pruitt
Bank	Culver	King	Slate
Bowers	Flippo	Lutz	Stokes
Carter	Grainger	McBride	Therrell
Cauthen	Gray (F)	McMillan	Waggoner
Chesnut	Grey (D)	McNair	Waldrop
Connell	Hale	Meeks	Wood

—31

Nays:

Messrs.:	Downing	Hobbie	Smith (K)
Barron	Falkenburg	May	Stubbs
Bassett	Fite	Mims	Turner
Callahan	Hardin	Parker	Warren
Cottingham	Headley	Reid (R)	

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The Clerk was directed to request the return of the bill, H. 2078, from the Senate for further consideration by the House.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Kinsey.

H. J. R. 225. COMMENDING WILLIAM B. COOPER OF ROSINTON FOR HIS DILIGENT AND DEDICATED SERVICE TO THE PEOPLE OF BALDWIN COUNTY.

WHEREAS, William B. Cooper, a native of Rosinton, has served the people of Baldwin County with honor and dignity for over two decades. He served on the County Commission from 1949 to 1957 and from 1965 to the early part of 1973 performing as Chairman of the County Commission; Read and Bridge Commissioner and County Finance Commissioner; and

WHEREAS, during his sixteen years as a member of the Baldwin County Commission he was instrumental in establishing an extensive farm to market road program. He also provided the rural people of the county with the conveniences of sub-courthouses for the purposes of assessing and paying taxes and the purchasing of tags and licenses; and

WHEREAS, this marvelous, friendly man contributes immeasurably to the civic life of his community. He is a Mason, a Shriner, Rotarian and a member of several hunting clubs. This emissary of good will is noted for his great love for and participation in sports; and

WHEREAS, he is a devoted father to his eight wonderful children and takes a deep interest in the Rosinton Church of Christ. A highly successful businessman, he has been in the retail merchandising business since 1946; and

WHEREAS, William B. Cooper is a true southern gentleman, and a genuine statesman, whose advice and counsel is sought by people in all walks of

life. His kindly disposition and devotion to the betterment of his people has reflected much honor upon himself and his native state; now therefore;

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we pay tribute to a great and loved Alabamian, William B. Cooper, as a representative of that body of great men whose sensitivity to the needs of their fellow human beings and dedication to public service and the general good of mankind has reflected much honor not only upon themselves but upon their native State:

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Mr. Cooper.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 225, on the Clerk's desk for one legislative day.

Also:

By Messrs. Reynolds and Goodwin:

H. J. R. 226. MOURNING DEATH OF GEORGE HAMMERLY COPELAND

WHEREAS, George Hammerly Copeland has recently died; and

WHEREAS, he received his law degree from the University of Oklahoma where he was captain of the debate team and was partnered with Carl Albert, present Speaker of the U.S. House of Representatives; and

WHEREAS, his political and government service career includes: Assistant Attorney General for the State of Oklahoma, 1931-1932; member of Oklahoma Legislature, 1932-1934; Federal Agent of Internal Security Officer for U.S. Department of State, 1934-1964; Executive Director of Downtown Florence, 1965-1968; and Probate Judge of Colbert County, 1970-1973; and

WHEREAS, George Copeland maintained a residence in Colbert County for 36 years and was admired and respected in that county and was a member of the Sheffield Kiwanis Club and First Methodist Church of Tusculumbia; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING That this body expresses its sincere regrets upon his death and do deeply honor his memory, extending sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the surviving members of his family.

Under the provisions of Joint Rule 12, the Clerk was intructed to hold the resolution, H. J. R. 226, on the Clerk's desk for one legislative day.

Also:

By Mr. Headley:

H. J. R. 227. EXPRESSING THE REGRET OF THE LEGISLATURE UPON THE DEATH OF MR. R. C. WILLIAMS

WHEREAS, R. C. Williams, civic, church, business and community leader of Clanton, Alabama passed away on June 17, 1973, after a lifetime of devoted service to his city, county, and state; and

WHEREAS, Mr. Williams has served the City of Clanton in many capacities for over twenty-five years, including as councilman, and a member of the Clanton Industrial Board; and

WHEREAS, Mr. Williams' participation in the First United Methodist Church of Clanton, and in the community's civic affairs, added to the respect accorded him; and

WHEREAS, Mr. Williams was a veteran of World War I, a member of Veterans of Foreign Wars, a member of the American Legion, Kiwanis, bond drive chairman, past president of Chilton County Chamber of Commerce, a leader of other charitable drives, and an active member of Alabama Petroleum Jobbers Association; and

WHEREAS, the community will miss the inspiration and leadership of R. C. Williams, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Robert Carlos Williams to whom this state is deeply indebted. We extend our sympathy to his wife Myra Williams, to his two daughters, Lynn McKinnon and Fay Monk, to his grandchildren, and to his brother John Spurgeon Williams.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the surviving members of Mr. Williams' family.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 227, on the Clerk's desk for one legislative day.

Also:

By Mr. Turnham:

H. J. R. 228. REQUESTING THE STATE BOARD OF EDUCATION TO SET UP A PLAN TO ISSUE CONTRACTS TO TEACHERS IN VOCATIONAL TECHNICAL SCHOOLS ON A YEARLY BASIS

WHEREAS, it is common practice for the State Board of Education to contract with its teachers in vocational technical schools on a ten-month basis; and

WHEREAS, such technical schools generally hold classes of instruction throughout the entire calendar year; and

WHEREAS, the teachers in such schools are desirous of a yearly basis of contract for employment; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body requests the State Board of Education to schedule a plan whereby contracts will be issued on a yearly basis to teachers in the vocational technical schools.

The resolution, H. J. R. 228, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 119. Relating to counties having populations of not less than 110,000 nor more than 150,000, according to the 1970 or any subsequent federal decennial census; providing further for extending the corporate limits and boundaries of incorporated municipalities in such counties.

Also:

S. 237. To provide for a system of self-indexing of all land transfer instruments recorded in probate offices in counties having a population of not less than 115,000 nor more than 150,000 persons according to the last or any subsequent Federal Decennial Census.

Also:

S. 543. To create and establish offices of Deputy District Attorney No. 1, N0. 2, and N0. 3 of the Sixth Judicial Circuit, and to provide for the appointment and for the duties and compensation of such offices.

Also:

S. 277. Relating to counties having a population of not less than 110,000 and not more than 150,000, authorizing the county governing body to furnish an assistant legal stenographer for the District Attorney in certain counties classified on a population basis, and further to bring any already existent legal stenographer of the District Attorney in such counties under the provisions of civil service or merit system of such counties, and to empower such officers to appear before Grand Jury sessions to record or report the testimony of witnesses therein.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 149. To provide for the formation of local school board employee groups for the purpose of securing group insurance and other benefits.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to request the return to the Senate for further consideration the Bill:

H. 1268. Relating to Henry County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The House acceded to the request of the Senate for the return of the bill, H. 1268, to the Senate for further consideration.

And the bill was forthwith returned to the Senate.

RESOLUTION

The following resolution was introduced:

By Messrs. Ellis, Headley and Burgess:

H. J. R. 229. CREATING THE JOINT INTERIM COMMITTEE ON WELFARE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be a joint interim committee on welfare to meet on call of its chairman during the interim between the date of passage of this resolution and the tenth legislative day of the 1975 regular legislative session, which shall make a study of the condition of welfare in the state, hold hearings, inquire into ways and of improving the welfare system in the state, and which shall also study the benefits and aid available to people of this state, particularly the blind and handicapped, and which shall also study the laws applicable to the State Department of Pensions and Security, and report its findings, conclusions, and recommendations to the Governor and to each house of the Legislature at the 1975 Regular Session, and to any intervening regular or special session.

The committee shall consist of the members of the House Committee on Public Welfare and the members of the Senate Committee on Health. The chairman of the House Committee on Public Welfare shall be chairman of the interim committee and the chairman of the Senate Committee on Health shall be co-chairman of the interim committee. The chairman of the committee, with the approval of the co-chairman, shall set the schedule and program for committee work, shall fix the days and hours of meeting and conducting hearings and examining witnesses who appear before the committee, and may appoint subcommittees and invest them with such authority as may be necessary to conduct the committee's business and expedite its work.

The resolution, H. J. R. 229, was read and referred to the Standing Committee on Rules.

SPECIAL ORDER RESUMED

And the bill:

H. 11. To provide that any county governing body and sheriff's department in such county shall be empowered and authorized to enter into an agreement or contract with the State Department of Public Safety to establish and maintain a helicopter ambulance service in certain participating counties; and to authorize the expenditure of public funds for the establishment and maintenance of said service.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Messrs.:	Cottingham	Hearn	Perloff
Adams	Crawford	Hobbie	Porter
Agee	Cross	Hughes	Pruitt
Bank	Crowe	King	Reid (R)
Barkett	Culver	Kinsey	Roberts
Barron	Doss	Lutz	St. John
Bassett	Downing	McBride	Smith (K)
Benton	Drake	McCorquodale	Smith (P)
Boles	Easters	McDonald	Stewart
Boutwell	Edwards	McMillan	Stokes
Bowers	Ellis	McNair	Stubbs
Callahan	Fite	May	Therrell
Carnes	Gafford	Meeks	Turner
Carter	Goodwin	Merrill	Waggoner
Casey	Grainger	Naramore	Waldrop
Cauthen	Gray (F)	Nettles	Wallace
Chesnut	Grey (D)	O'Daniel	Warren
Collins	Hale	Owens	Williams
Connell	Hardin	Parker	Wynot
Coshatt	Headley		

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And the bill:

H. 1218. To make an appropriation of \$80,000 per year for the next two fiscal years, out of any funds in the State Treasury not otherwise appropriated, for use by the State Health Department for Family Planning Services.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Benton	Carnes	Connell
Adams	Boles	Carter	Coshatt
Bank	Boutwell	Casey	Cottingham
Barkett	Bowers	Cauthen	Crawford
Barron	Burgess	Chesnut	Cross
Bassett	Callahan	Collins	Culver

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Doss	Hobbie	Merrill	Smith (P)
Downing	Hughes	Naramore	Snell
Drake	Jackson	Nettles	Stewart
Easters	King	Owens	Stokes
Edwards	Kinsey	Parker	Therrell
Gafford	Lutz	Perloff	Turner
Goodwin	McBride	Porter	Waggoner
Grainger	McCorquodale	Pruitt	Waldrop
Gray (F)	McDonald	Reid (R)	Wallace
Grey (D)	McMillan	Reynolds	Warren
Hale	McNair	Roberts	Williams
Headley	May	St. John	Wood
Hearn	Meeks	Smith (K)	Wynot

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And the bill:

H. 992. To provide for the participation by state institutions of higher learning with private institutions of higher learning in a consortium product contract as a source or purchasing; to provide an effective date for this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hughes	Reid (R)
Adams	Cross	Jackson	Reynolds
Agee	Crowe	King	Roberts
Bank	Culver	Kinsey	St. John
Barkett	Doss	Lang	Slate
Barron	Downing	Lutz	Smith (K)
Bassett	Drake	McBride	Smith (P)
Benton	Easters	McCluskey	Snell
Boles	Edwards	McMillan	Stewart
Boutwell	Ellis	McNair	Stokes
Bowers	Erdreich	May	Therrell
Brassell	Fite	Meeks	Turner
Burgess	Gafford	Merrill	Turnham
Callahan	Goodwin	Naramore	Waggoner
Carnes	Grainger	Nettles	Waldrop
Carter	Gray (F)	O'Daniel	Wallace
Cauthen	Grey (D)	Owens	Warren
Chesnut	Hale	Parker	Williams
Collins	Hardin	Perloff	Wise
Connell	Headley	Porter	Wood
Cottingham	Hobbie	Pruitt	Wynot

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And the bill:

H. 210. To amend Section 3, Act No. 1945, Regular Session of 1971, approved September 20, 1971, establishing the qualifications of the person appointed as County Engineer or Chief Engineer of the Division of Public Roads of the County within the meaning of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Crawford	King	Reynolds
Adams	Cross	Kinsey	Roberts
Agee	Culver	Lang	St. John
Bank	Doss	McBride	Smith (K)
Barkett	Downing	McDonald	Snell
Barron	Drake	McMillan	Stewart
Bassett	Easters	Mathews	Stokes
Benton	Edwards	May	Therrell
Boutwell	Erdreich	Merrill	Timmons
Bowers	Gafford	Mims	Turner
Brassell	Goodwin	Naramore	Turnham
Burgess	Grainger	Nettles	Waggoner
Callahan	Grey (D)	O'Daniel	Waldrop
Carnes	Hale	Owens	Wallace
Casey	Hardin	Parker	Warren
Cauthen	Headley	Perloff	Williams
Chesnut	Hobbie	Porter	Wise
Collins	Hughes	Pruitt	Wood
Connell	Jackson	Reid (R)	Wynot
Cottingham			

—77

And the bill:

H. 857. To amend further Act No. 376, S. 280, Regular Session 1947 (Acts of Alabama 1947, page 267), an act authorizing and empowering certain governing bodies and agencies to contract for, obtain and maintain policies of group life, health, accident, and hospitalization insurance, and insured retirement plans for certain of its officers and employees in order to authorize and empower the board of directors of any county or municipal hospital to provide such insurance and retirement plans for its officers and agencies.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Crowe	Jackson	Reynolds
Adams	Culver	King	Roberts
Agee	Doss	Kinsey	St. John
Barron	Downing	Lang	Slate
Bassett	Drake	Lutz	Smith (K)
Benton	Edwards	McCluskey	Snell
Boles	Erdreich	McCorquodale	Stewart
Boutwell	Fite	McMillan	Stokes
Bowers	Flippo	McNair	Therrell
Brassell	Gafford	Mathews	Timmons
Carnes	Goodwin	May	Turner
Carter	Grainger	Meeks	Turnham
Casey	Gray (F)	Merrill	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	Nettles	Wallace
Connell	Headley	O'Daniel	Warren
Coshatt	Hearn	Owens	Williams
Cottingham	Hill	Perloff	Wood
Crawford	Hobbie	Porter	Wynot
Cross	Hughes	Reid (R)	

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And the bill:

H. 1227. A bill to authorize the governing body and election officials of those counties using voting machines which produce printouts that contain all required data regarding registering or recording and computing the vote at all elections to use such printout sheets and to make any required certificates or statements thereon; to provide that such shall satisfy the provisions of Alabama Code 1940, Title 17, Chapter 1, Article 7.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Reynolds
Adams	Crowe	Hughes	Roberts
Agee	Culver	Jackson	St. John
Barron	Doss	King	Slate
Bassett	Downing	Kinsey	Smith (K)
Benton	Drake	Lang	Snell
Boles	Easters	Lutz	Stewart
Boutwell	Edwards	McCluskey	Stokes
Bowers	Erdreich	McDonald	Stubbs
Brassell	Flippo	McMillan	Therrell
Callahan	Gafford	McNair	Turner
Carnes	Goodwin	May	Turnham
Carter	Grainger	Merrill	Waggoner
Casey	Gray (F)	Naramore	Waldrop
Chesnut	Hale	Nettles	Warren
Connell	Hardin	Owens	Williams
Coshatt	Headley	Perloff	Wise
Cottingham	Hearn	Porter	Wood
Crawford	Hill	Reid (R)	Wynot

—76

And the bill:

H. 1613. To amend Act No. 2432, Regular Session, 1971 (Acts 1971 p. 3891) providing for the creation, incorporation, and operation of the Marine Environmental Sciences Consortium by designating it as a state agency and providing for a Board of Directors with full power and authority for its management; and to grant to state educational institutions and state, county, and municipal agencies authority to make contributions for its support.

Was taken up.

Mr. Downing offered the following amendment to the bill:

Amend H. B. 1613 by striking from Section 3 the following words:

"Section 3. Body Corporate. The Marine Environmental Sciences Consortium is hereby constituted as a body corporate with all the rights, powers, and franchises necessary to or promotive of the end of its creation."

and inserting in lieu thereof the following:

"Section 3. Body Corporate: The Marine Environmental Sciences Consortium is hereby constituted as a body corporate and such consortium shall have all the rights, powers, and franchises necessary to or promotive of the

end of its creation and shall be charged with all the corresponding duties and responsibilities, including the powers and responsibilities devolving upon a corporation organized under Title 52 of the 1940 Code of Alabama as amended."

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Messrs.:	Culver	King	Roberts
Adams	Doss	Kinsey	St. John
Agee	Downing	Lang	Slate
Bank	Drake	Lutz	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Bassett	Erdreich	McCorquodale	Snell
Benton	Falkenburg	McDonald	Stewart
Boutwell	Flippo	McMillan	Stokes
Bowers	Gafford	McNair	Therrell
Brassell	Goodwin	Mathews	Timmons
Carnes	Grainger	Meeks	Turner
Carter	Gray (F)	Merrill	Turnham
Casey	Hale	Naramore	Waggoner
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Headley	Owens	Wallace
Connell	Hearn	Perloff	Warren
Coshatt	Hill	Porter	Williams
Cottingham	Hobbie	Reid (R)	Wood
Crawford	Hughes	Reynolds	Wynot
Crowe	Jackson		

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And the bill, H. 1613 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Messrs.:	Culver	Jackson	Reynolds
Adams	Doss	King	Roberts
Agee	Downing	Kinsey	St. John
Bank	Drake	Lang	Slate
Barron	Easters	Lutz	Smith (K)
Bassett	Edwards	McCluskey	Smith (P)
Benton	Ellis	McCorquodale	Snell
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Flippo	McNair	Therrell
Brassell	Gafford	Mathews	Timmons
Carnes	Goodwin	May	Turnham
Carter	Grainger	Meeks	Waggoner
Casey	Gray (F)	Merrill	Waldrop
Chesnut	Grey (D)	Naramore	Wallace
Connell	Hale	Nettles	Warren
Coshatt	Hardin	Owens	Williams
Crawford	Hill	Perloff	Wise
Cross	Hobbie	Porter	Wood
Crowe	Hughes	Reid (R)	Wynot

—79

And the bill:

H. 448. To amend the title and Sections 1 and 3 of Act No. 2307, S. 250, of the Regular Session of 1971 (Acts of 1971, p. 3728), which provides for covering certain employees of public school systems in the Teachers' Re-

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tiement System so as to include persons employed by such public school systems as custodians and janitors among the employees who may be covered by the Teachers' Retirement System.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs.:	Crowe	King	Reynolds
Adams	Doss	Kinsey	Roberts
Adwell	Downing	Lang	St. John
Agee	Drake	Lutz	Slate
Bank	Easters	McCluskey	Smith (K)
Barron	Edwards	McCorquodale	Smith (P)
Bassett	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Flippo	Mathews	Stubbs
Brassell	Gafford	May	Therrell
Burgess	Goodwin	Meeks	Timmons
Callahan	Grainger	Merrill	Turner
Carnes	Gray (F)	Mims	Turnham
Carter	Grey (D)	Naramore	Waggoner
Casey	Hale	Nettles	Waldrop
Cauthen	Hardin	Owens	Wallace
Chesnut	Headley	Perloff	Warren
Connell	Hearn	Porter	Williams
Coshatt	Hill	Pruitt	Wise
Cottingham	Hobbie	Reed (T)	Wood
Crawford	Hughes	Reid (R)	Wynot
Cross	Jackson		

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UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all members voting "Yea" to have their names added as co-sponsors to the bill, H. 448.

And the bill:

H. 1272. To amend Code of Alabama, 1940, Title 52, Sections 364 and 365, which relate to the Teachers' Retirement System, amending such sections in relation to membership service creditable toward retirement and to provide for a conditional appropriation.

Was taken up.

Mr. McDonald offered the following amendment to the bill:

In Section 1 of the bill strike in its entirety that portion of the first paragraph of Section 364, Title 52 Code of Alabama 1940, as the same appears in such Section 1, beginning with the third sentence, and insert in lieu thereof as the second paragraph of such section the following:

"A teacher in service on October 1, 1973 whose membership in the retirement system was contingent on his own election and who elected not to become a member, may thereafter apply for and be admitted to membership with all prior service credit and with all membership service credit as otherwise provided for in this chapter by applying for such membership within 150

days from the effective date of this Act, provided said teacher pays to the treasurer of the said retirement system on or before October 1, 1974, a sum equal to the total contributions which he would have made as a member during the period of his employment as a teacher from September 1, 1941 to the date of his application for membership, plus compound interest of 8% on such contributions. Any member, or any retired member, who at one time taught as a non-member, may now receive credit for prior service and for the years taught as a non-member provided said member, or said retired member, within 150 days from the effective date of this Act, pays to the treasurer of the said retirement system a sum equal to the total contributions which he would have made as a member during the period of his employment as a teacher from September 1, 1941 to the date he became a member, plus compound interest of 8% on such contributions. As soon as practicable after the expiration of the time for making such elections, the Department of Education, at the request of the Governor, shall furnish him a report of the number of teachers in service who applied for membership or credit for prior service. The Board of Control of the Teacher's Retirement System shall determine and report to the Governor the employer cost for such coverage."

Also, strike in its entirety Section 3 of the bill and insert in lieu thereof the following:

Section 3. APPROPRIATION.

There is hereby appropriated from the Alabama Special Education Trust Fund for the fiscal year ending September 30, 1974 the amount of \$2,324,100 and for the fiscal year ending September 30, 1975 the amount of \$2,324,100 for the purpose of carrying out the provisions of this Act. Provided further that such appropriations shall be conditional upon the condition of the treasury and released at the discretion and upon approval of the Governor after he has been furnished the employer cost.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Downing	Lang	Roberts
Adams	Drake	Lutz	St. John
Agee	Edwards	McCluskey	Slate
Bank	Ellis	McCorquodale	Smith (K)
Barkett	Erdreich	McDonald	Smith (P)
Barron	Falkenburg	McMillan	Snell
Bassett	Flippo	McNair	Stewart
Benton	Gafford	May	Stokes
Boles	Goodwin	Meeks	Stubbs
Boutwell	Grainger	Merrill	Therrell
Bowers	Gray (F)	Mims	Timmons
Brassell	Grey (D)	Naramore	Turner
Burgess	Hale	Nettles	Turnham
Callahan	Hardin	O'Daniel	Waggoner
Carnes	Headley	Owens	Waldrop
Carter	Hearn	Parker	Wallace
Casey	Hill	Perloff	Warren
Cauthen	Hobbie	Porter	Williams
Chesnut	Hughes	Pruitt	Wise
Cottingham	Jackson	Reed (T)	Wood
Crawford	King	Reid (R)	Wynot
Culver	Kinsey	Reynolds	

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And the bill, H. 1272 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reid (R)
Adams	Culver	Kinsey	Reynolds
Agee	Doss	Lang	Roberts
Bank	Downing	Lutz	St. John
Barkett	Drake	McBride	Slate
Barron	Edwards	McCluskey	Smith (K)
Bassett	Ellis	McCorquodale	Smith (P)
Benton	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Flippo	McNair	Stokes
Bowers	Gafford	May	Stubbs
Brassell	Goodwin	Meeks	Therrell
Burgess	Grainger	Merrill	Timmons
Callahan	Gray (F)	Mims	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Hale	Nettles	Waggoner
Casey	Hardin	O'Daniel	Waldrop
Cauthen	Headley	Owens	Wallace
Chesnut	Hearn	Perloff	Warren
Connell	Hill	Porter	Williams
Cottingham	Hobbie	Pruitt	Wood
Crawford	Hughes	Reed (T)	Wynot
Cross			

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And the bill:

H. 1185. To amend Sections 3 and 4 of Act No. 566, S. 117, p. 1046, Volume II, Acts of Alabama, Regular Session of the Legislature 1969, effective 2/1/70, the title of which act is, "To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama having a population of less than 600,000 population according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries," by increasing the minimum and maximum salary allowed for such Supernumerary officials and providing for repayment of the amount of salary paid into the general fund of the county by such Clerks and Registers if their tenure of office is terminated prior to their becoming supernumerary.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Boles	Connell	Ellis
Adams	Boutwell	Cottingham	Erdreich
Adwell	Bowers	Cross	Fite
Agee	Brassell	Culver	Gafford
Bank	Burgess	Downing	Goodwin
Barron	Carnes	Drake	Grainger
Bassett	Carter	Easters	Gray (F)
Benton	Chesnut	Edwards	Grey (D)

Hale	McCorquodale	Porter	Stokes
Hardin	McDonald	Pruitt	Stubbs
Headley	McMillan	Reed (T)	Timmons
Hearn	McNair	Reid (R)	Turner
Hill	May	Reynolds	Turnham
Hobbie	Meeks	Roberts	Waggoner
Hughes	Merrill	Robertson	Waldrop
Jackson	Naramore	St. John	Wallace
King	Nettles	Slate	Warren
Kinsey	O'Daniel	Smith (K)	Williams
Lutz	Owens	Smith (P)	Wise
McBride	Parker	Stewart	Wynot
McCluskey			

—81

And the bill:

H. 1191. To authorize the governing bodies of the several counties of Alabama to pay all expenses incurred by the Circuit Court Clerks and Registers or other like official by membership in their State organization.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker	Cross	Hobbie	Reid (R)
Adams	Crowe	Hughes	Reynolds
Adwell	Doss	Jackson	Roberts
Agee	Downing	King	Robertson
Bank	Drake	Kinsey	St. John
Barkett	Edwards	Lang	Slate
Barron	Ellis	Lutz	Smith (P)
Bassett	Erdreich	McCorquodale	Stewart
Benton	Falkenburg	McDonald	Stokes
Boles	Fite	McMillan	Timmons
Boutwell	Flippo	May	Turner
Bowers	Gafford	Meeks	Turnham
Brassell	Goodwin	Merrill	Waggoner
Burgess	Grainger	Mims	Waldrop
Callahan	Gray (F)	Naramore	Wallace
Carnes	Grey (D)	Nettles	Warren
Carter	Hale	Owens	Wise
Chesnut	Hardin	Porter	Wood
Connell	Hearn	Pruitt	Wynot
Cottingham	Hill		

—78

Nay: Mr. McNair.

—1

And the bill:

H. 1560. (With Substitute): To further amend Section 1 and Section 2 of Act No. 100, H. 94, Second Special Session 1959, relating to revenue, to exclude the sales tax exemption on certain products sold in vending machines and substitute therefor a tax on all purchases for resale, of food and food products, not including beverages other than coffee, milk, milk products and substitutes therefor, through coin operated dispensing machines.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To further amend Section 2 of Act No. 100, H. 94, Second Special Session 1959, relating to revenue, to exclude the sales tax exemption on certain products sold in vending machines and substitute therefor a tax on all purchases for resale, of food and food products, not including beverages other than coffee, milk, milk products and substitutes therefor, through coin operated dispensing machines.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 100, H. 94, Second Special Session 1959, (Acts 1959, page 298) is hereby further amended to read as follows:

"Section 2. There is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person or account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm, or corporation, (including the State of Alabama and its Alcoholic Beverage Control Board in the sale of alcoholic beverages of all kinds, the University of Alabama, Auburn University and all other institutions of higher learning in the state, whether such institutions be denominational, state, county or municipal institutions, any association or other agency or instrumentality of such institutions) engaged, or continuing within this state, in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (no including, however bonds or other evidences of debts or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to four percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business.

(b) Upon every person, firm or corporation engaged, or continuing within this state, in the business of conducting, or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests, conducted by or under the auspices of any educational institution within this state, or any athletic association thereof, or other association whether such institution or association be a denominational, state, or county, or a municipal institution or association of a state, county, or city

school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within the State of Alabama, an amount equal to four percent of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within this state in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to one and one-half percent of the gross proceeds of the sale of such machines; provided, that the term "machines", as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(d) Upon every person, firm or corporation engaged or continuing within this state in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer or house trailer, an amount equal to one and one-half per cent of the gross proceeds of sale of said automotive vehicle or truck trailer, semi-trailer or house trailer, provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in-trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid in lieu of the tax levied herein, a fee of five dollars per year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be of such withdrawal and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person.

Where any used automobile vehicle or truck trailer, semi-trailer or house trailer is taken in trade or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for used vehicle taken in trade."

(e) Upon every person, firm or corporation engaged or continuing within this state in the business of selling through coin-operated dispensing machines, food and food products for human consumption, not including beverages other than coffee, milk, milk products and substitutes therefor, there is hereby levied a tax equal to three percent (3%) of the cost of such food, food products and beverages sold through such machines, which cost for the purpose of this subsection shall be the gross proceeds of sales of such business.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

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Section 4. This act shall take effect on the first day of the first month following the date of its enactment.

And the substitute was adopted.

Yeas 83; Nays 0.

Yeas:

Messrs.:	Cross	Hughes	Roberts
Adams	Crowe	Jackson	Robertson
Adwell	Doss	King	St. John
Agee	Downing	Kinsey	Slate
Bank	Drake	Lang	Smith (P)
Barkett	Easters	Lutz	Snell
Barron	Edwards	McBride	Stewart
Bassett	Ellis	McCluskey	Stokes
Benton	Erdreich	McCorquodale	Stubbs
Boles	Falkenburg	McDonald	Taylor
Boutwell	Fite	McMillan	Timmons
Bowers	Gafford	Meeks	Turner
Brassell	Goodwin	Merrill	Turnham
Carnes	Grainger	Naramore	Waggoner
Carter	Gray (F)	Nettles	Waldrop
Casey	Gray (D)	O'Daniel	Wallace
Cauthen	Hale	Owens	Warren
Chesnut	Hardin	Porter	Williams
Connell	Hearn	Pruitt	Wise
Cottingham	Hill	Reid (R)	Wood
Crawford	Hobbie	Reynolds	Wynot

—83

And the bill:

H. 1560. To further amend Section 2 of Act No. 100, H. 94, Second Special Session 1959, relating to revenue, to exclude the sales tax exemption on certain products sold in vending machines and substitute therefor a tax on all purchases for resale, of food and food products, not including beverages other than coffee, milk, milk products and substitutes therefor, through coin operated dispensing machines.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Messrs.:	Callahan	Downing	Hughes
Adams	Carnes	Drake	King
Adwell	Carter	Edwards	Kinsey
Agee	Casey	Ellis	Lutz
Bank	Cauthen	Erdreich	McBride
Barron	Chesnut	Fite	McCluskey
Bassett	Connell	Flippo	McCorquodale
Benton	Cottingham	Goodwin	McDonald
Boles	Crawford	Grainger	McMillan
Boutwell	Cross	Hardin	McNair
Bowers	Crowe	Hearn	Meeks
Brassell	Culver	Hill	Merrill
Burgess	Doss	Hobbie	Naramore

Nettles
O'Daniel
Owens
Parker
Porter
Pruitt

Reid (R)
Roberts
Robertson
St. John
Slate
Smith (P)

Snell
Stewart
Stokes
Taylor
Turner
Turnham

Waggoner
Waldrop
Warren
Williams
Wood
Wynot

—75

And the bill:

H. 777. (With Substitute): To amend Section 2 of Act No. 106 adopted at the 1959 Regular Session of the Legislature of the State of Alabama so as to exclude from the definition of the practice of the healing arts, for purposes of said Act No. 106, as amended, the work performed under certain conditions by fellows, residents, interns or medical students who are employed by, or who are taking courses of instruction or training at, any facility of The University of Alabama School of Medicine or any other medical school, hospital or institution in a program supervised by the faculty of said School of Medicine.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Health, said Committee substitute being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 2 of Act Number 106 of the 1959 Regular Session of the Legislature of the State of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act Number 106 of the 1959 Regular Session of the Legislature of the State of Alabama (Section 257(2) of Title 46 of the Code of Alabama 1940 (Recompiled 1958) is hereby amended to read as follows:

Scope of powers; practice of healing arts defined. The board as above constituted shall have exclusive power and authority to issue all licenses or duplicates of licenses authorizing the licensee to practice the healing arts, as defined herein, in the State of Alabama, and for the purposes of this article, practice of the healing arts is defined as offering or undertaking to diagnose, treat, operate on, or prescribe for any human pain, injury, disease, deformity, or physical or mental condition, provided that nothing in this article shall be construed as applying to dentists, pharmacists, nurses, midwives, shoe-fitters or salesmen, barbers, cosmeticians, Christian Scientists, dispensing opticians or optometrists, or clinical psychologists practicing within the limits of their respective callings; nor to the sale, manufacture, or advertising of drugs, medicines, appliances for the prevention or relief of foot ailments or discomforts, household remedies, chemicals, and household preparations, provided that the vendor, maker or advertiser refrains from any attempt to diagnose; nor to fellows, residents, interns or medical students who are employed by or who are taking courses of instruction at the University of Alabama School of Medicine or such other medical schools or colleges, hospitals, or institutions in Alabama as may be approved by the Board of Medical Examiners and provided that the work of the fellows, residents, interns or medical students is

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performed within the facilities of such medical schools or colleges, hospitals, or institutions under the supervision of a licensed physician and as an adjunct to his course of study or training, and until said fellows, residents, interns, or students meet training requirements for licensure under the laws of the State of Alabama and the regulations of the Board of Medical Examiners of the State of Alabama.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 83; Nays 1.

Yeas:

Mr. Speaker	Culver	Jackson	Roberts
Adwell	Downing	King	Robertson
Agee	Drake	Kinsey	St. John
Bank	Easters	Lang	Slate
Barkett	Edwards	Lutz	Smith (P)
Bassett	Ellis	McBride	Snell
Benton	Erdreich	McCluskey	Stewart
Boles	Falkenburg	McDonald	Stokes
Boutwell	Fite	McMillan	Stubbs
Bowers	Flippo	McNair	Taylor
Brassell	Gafford	May	Timmons
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Turnham
Carter	Gray (F)	Naramore	Waggoner
Casey	Grey (D)	Nettles	Waldrop
Connell	Hale	Owens	Wallace
Coshatt	Headley	Parker	Warren
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Pruitt	Wise
Cross	Hobbie	Reid (R)	Wynot
Crowe	Hughes	Reynolds	—83

Nay: Mr. Cauthen.

—1

And the bill:

H. 777. To amend Section 2 of Act Number 106 of the 1959 Regular Session of the Legislature of the State of Alabama.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Benton	Carnes	Cottingham
Adams	Boles	Carter	Crawford
Adwell	Boutwell	Casey	Cross
Bank	Bowers	Chesnut	Culver
Barkett	Brassell	Connell	Downing
Bassett	Callahan	Coshatt	Drake

Easters	Hearn	Meeks	Snell
Edwards	Hill	Merrill	Stewart
Ellis	Hobbie	Naramore	Stokes
Erdreich	Hughes	Nettles	Stubbs
Falkenburg	Jackson	Owens	Taylor
Fite	King	Parker	Turner
Flippo	Kinsey	Porter	Turnham
Gafford	Lutz	Pruitt	Waggoner
Goodwin	McBride	Reid (R)	Waldrop
Grainger	McCluskey	Reynolds	Wallace
Gray (F)	McDonald	St. John	Warren
Grey (D)	McMillan	Slate	Williams
Hale	McNair	Smith (K)	Wise
Hardin	May	Smith (P)	Wynot
Headley			—81

Nay: Mr. Cauthen.

—1

And the bill:

H. 778. (With Substitute): To amend Section 12 of Act No. 107 adopted at the 1959 Regular Session of the Legislature of the State of Alabama so as to exempt from the criminal penalties provided therein the work performed under certain conditions by fellows, residents, interns or medical students who are employed by, or who are taking courses of instruction or training at, any facility of The University of Alabama School of Medicine or any other medical school, hospital or institution in a program supervised by the faculty of said School of Medicine.

Was taken up.

MOTION TO POSTPONE

Mr. Cauthen moved to temporarily postpone the bill, H. 778, with pending substitute.

MOTION TO TABLE LOST

The motion offered by Mr. Falkenburg to table the motion offered by Mr. Cauthen to temporarily postpone the bill, H. 778 with pending substitute, was lost.

Yeas 28; Nays 41.

Yeas:

Mr. Speaker	Coshatt	Goodwin	Naramore
Adwell	Doss	Gray (F)	Roberts
Agee	Downing	Grey (D)	St. John
Bank	Drake	Hearn	Smith (K)
Boutwell	Erdreich	Hobbie	Taylor
Bowers	Falkenburg	Kinsey	Timmons
Callahan	Gafford	McDonald	Waggoner

—28

Nays:

Messrs.:	Benton	Cauthen	Crowe
Adams	Brassell	Chesnut	Easters
Barkett	Burgess	Connell	Edwards
Barron	Carnes	Cottingham	Ellis
Bassett	Carter	Crawford	Fite

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Flippo	Lang	Merrill	Slate
Hale	Lutz	Nettles	Turner
Hardin	McBride	Owens	Waldrop
Hill	McMillan	Porter	Warren
Hughes	McNair	Pruitt	Wise
King	Meeks		

—41

H. 778 TEMPORARILY POSTPONED

The question was then on the motion offered by Mr. Cauthen to temporarily postpone the bill, H. 778 with pending substitute, and the motion was adopted.

Yeas 41; Nays 23.

Yeas:

Messrs.:	Coshatt	Hardin	Merrill
Adams	Cottingham	Hearn	Nettles
Barkett	Crawford	Hill	Owens
Barron	Crowe	Jackson	Porter
Bassett	Easters	King	Pruitt
Benton	Edwards	Lang	Slate
Burgess	Ellis	Lutz	Turner
Carnes	Fite	McBride	Waldrop
Cauthen	Flippo	McMillan	Warren
Chesnut	Goodwin	Meeks	Wise
Connell	Hale		

—41

Nays:

Mr. Speaker	Drake	Hughes	St. John
Adwell	Erdreich	Kinsey	Smith (K)
Bowers	Falkenburg	McDonald	Taylor
Carter	Gafford	McNair	Timmons
Casey	Grey (D)	Naramore	Waggoner
Doss	Hobbie	Roberts	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1723. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation tobacco leaf stored in hogsheads.

McDOWELL LEE,
Secretary.

SPECIAL ORDER RESUMED

And the bill:

H. 779. (With Substitute): To amend Section 262 of Title 46 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from the criminal penalties provided therein the work performed under certain conditions by fellows, residents, interns or medical students who are employed by, or who are taking courses of instruction or training at, any facility of The University of Alabama School of Medicine or any other medical school, hos-

pital or institution in a program supervised by the faculty of said School of Medicine.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Health, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act Number 109 of the 1959 Regular Session of the Legislature of the State of Alabama amending Section 262 of Title 46 of the Code of Alabama 1940 (Recomp 1958).

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3 of Act Number 109 of the 1959 Regular Session of the Legislature of the State of Alabama amending Section 262 of Title 46 of the Code of Alabama 1940 (Recomp 1958) is hereby amended to read as follows:

Any person who practices medicine, osteopathy, or chiropody, or offers to do so in this state without a certificate of qualification having been issued in his behalf by the State Board of Medical Examiners and without a license and certificate of registration from the State Licensing Board for the healing arts, shall be guilty of a misdemeanor, and, upon conviction, shall be fined for each offense not less than fifty nor more than five hundred dollars, and may be imprisoned in the county jail for not less than one month nor more than three months. And where indictments are preferred by a grand jury, such cases shall only be tried in the court wherein the indictment is preferred and shall not be transferred to any other court. However, nothing in this section or article shall apply to fellows, residents, interns or medical students who are employed by or who are taking courses of instruction at the University of Alabama School of Medicine or such other medical schools or colleges, hospitals, or institutions in Alabama as may be approved by the Board of Medical Examiners and provided that the work of the fellows, residents, interns or medical students is performed within the facilities of such medical schools or colleges, hospitals, or institutions under the supervision of a licensed physician and as an adjunct to his course of study or training, and until said fellows, residents, interns, or students meet training requirements for licensure under the laws of the State of Alabama and the regulations of the Board of Medical Examiners of the State of Alabama.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MOTION TO POSTPONE LOST

The motion offered by Mr. Cauthen to temporarily postpone the bill, H. 779 with pending substitute was lost.

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Yeas 33; Nays 45.

Yeas:

Messrs.:	Casey	Hardin	Owens
Adams	Cauthen	Hill	Porter
Barkett	Chesnut	Jackson	Pruitt
Barron	Connell	Lang	Slate
Bassett	Cottingham	McBride	Turner
Benton	Crawford	McCluskey	Waldrop
Brassell	Edwards	McDonald	Wise
Carnes	Fite	Meeks	Wynot
Carter	Flippo		

—33

Nays:

Mr. Speaker	Drake	King	St. John
Adwell	Ellis	Kinsey	Smith (K)
Agee	Erdreich	Lutz	Snell
Bank	Falkenburg	McMillan	Stokes
Boutwell	Gafford	McNair	Stubbs
Bowers	Goodwin	Merrill	Therrell
Burgess	Grey (D)	Naramore	Timmons
Callahan	Hale	Parker	Waggoner
Coshatt	Hearn	Reid (R)	Wallace
Culver	Hobbie	Reynolds	Williams
Doss	Hughes	Roberts	Wood
Downing			

—45

The question was then on the adoption of the substitute reported by the Standing Committee on Health, and the substitute was adopted.

Yeas 67; Nays 8.

Yeas:

Messrs.:	Downing	Hobbie	Reynolds
Adams	Drake	Hughes	Roberts
Adwell	Edwards	Jackson	St. John
Agee	Ellis	King	Slate
Bank	Erdreich	Kinsey	Smith (K)
Barron	Falkenburg	Lang	Snell
Bassett	Fite	Lutz	Stewart
Boutwell	Flippo	McCluskey	Stokes
Bowers	Gafford	McDonald	Stubbs
Brassell	Goodwin	McMillan	Therrell
Burgess	Grainger	McNair	Timmons
Callahan	Gray (F)	May	Turner
Carter	Grey (D)	Meeks	Waggoner
Coshatt	Hale	Merrill	Waldrop
Cottingham	Headley	Naramore	Wallace
Culver	Hearn	Owens	Warren
Doss	Hill	Parker	Wood

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Nays:

Messrs.:	Carnes	Hardin	Porter
Benton	Chesnut	McBride	Pruitt
Boles			

—8

And the bill:

H. 779. To amend Section 3 of Act Number 109 of the 1959 Regular

Session of the Legislature of the State of Alabama amending Section 262 of Title 46 of the Code of Alabama 1940 (Recomp 1958).

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 11.

Yeas:

Mr. Speaker	Doss	Hobbie	Roberts
Adwell	Downing	Hughes	St. John
Agee	Drake	Jackson	Slate
Bank	Ellis	King	Smith (K)
Barron	Erdreich	Kinsey	Snell
Bassett	Falkenburg	Lang	Stewart
Boutwell	Fite	Lutz	Stokes
Bowers	Flippo	McDonald	Stubbs
Brassell	Goodwin	McMillan	Therrell
Burgess	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carter	Gray (D)	Merrill	Waggoner
Casey	Hale	Naramore	Waldrop
Collins	Hardin	Owens	Wallace
Coshatt	Headley	Parker	Warren
Cottingham	Hearn	Reid (R)	Williams
Crowe	Hill	Reynolds	Wood
Culver			

—69

Nays:

Messrs.:	Boles	Chesnut	McCluskey
Adams	Carnes	Edwards	Nettles
Benton	Cauthen	McBride	Pruitt

—11

And the bill:

H. 778. (With Substitute): To amend Section 12 of Act No. 107 adopted at the 1959 Regular Session of the Legislature of the State of Alabama so as to exempt from the criminal penalties provided therein the work performed under certain conditions by fellows, residents, interns or medical students who are employed by, or who are taking courses of instruction or training at, any facility of The University of Alabama School of Medicine or any other medical school, hospital or institution in a program supervised by the faculty of said School of Medicine.

Having been temporarily postponed, was again taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Health, said Committee substitute being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 12 of Act No. 107 adopted at the 1959 Regular Session of the Legislature of the State of Alabama so as to exempt from the criminal penalties provided therein the work performed under certain conditions by fellows, residents, interns or medical students who are employed by, or who are taking courses of instruction or training at, any facility of The

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University of Alabama School of Medicine or any other medical school, hospital or institution in a program supervised by the faculty of said School of Medicine.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 12 of Act No. 107 adopted at the 1959 Regular Session of the Legislature of the State of Alabama (Section 257 (37) or Title 46 of the 1958 Recompile of the Code of Alabama of 1940) shall be and hereby is amended to read as follows:

"Section 12. Practice Without Certificate Forbidden. Except as herein-after provided, any person practicing the healing arts, or any branch thereof, without having obtained a valid certificate from the Alabama State Board of Examiners in the Basic Sciences shall, upon conviction, be fined not less than fifty (50) dollars nor more than five hundred (500) dollars at the discretion of the jury, and, in addition, may be imprisoned in the county jail at the discretion of the trial judge for not exceeding six (6) months; and for a second or subsequent offence the punishment shall be a fine of not less than one hundred (100) dollars nor more than five hundred (500) dollars at the discretion of the jury, and imprisonment in the county jail for not exceeding twelve (12) months, the term of such imprisonment to be fixed by the trial judge. Each day of such violation shall constitute a separate offense, and in no case shall the person convicted be entitled to recover anything for the services rendered. However, nothing in this section or article shall apply to fellows, residents, interns or medical students who are employed by or who are taking courses of instruction at the University of Alabama School of Medicine or such other medical schools or colleges, hospitals, or institutions in Alabama as may be approved by the Board of Medical Examiners and provided that the work of the fellows, residents, interns or medical students is performed within the facilities of such medical schools or colleges, hospitals, or institutions under the supervision of a licensed physician and as an adjunct to his course of study or training, and until said fellows, residents, interns, or students meet training requirements for licensure under the laws of the State of Alabama and the regulations of the Board of Medical Examiners of the State of Alabama.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 70; Nays 8.

Yeas:

Mr. Speaker	Bowers	Cottingham	Ellis
Adams	Brassell	Cross	Erdreich
Adwell	Burgess	Culver	Falkenburg
Agee	Callahan	Doss	Fite
Bank	Carnes	Downing	Flippo
Barkett	Carter	Drake	Goodwin
Bassett	Collins	Easters	Grainger
Boutwell	Coshatt	Edwards	Gray (F)

Grey (D)	McDonald	Reynolds	Timmons
Hale	McMillan	Roberts	Turner
Headley	McNair	St. John	Waggoner
Hearn	Meeks	Smith (K)	Waldrop
Hobbie	Merrill	Snell	Wallace
Hughes	Naramore	Stewart	Warren
Jackson	Nettles	Stokes	Williams
King	Owens	Stubbs	Wood
Kinsey	Parker	Therrell	Wynot
Lutz	Reid (R)		

—70

Nays:

Messrs.:	Chesnut	Lang	McCluskey
Barron	Hill	McBride	Pruitt
Cauthen			

—8

And the bill, H. 778 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 14.

Yeas:

Mr. Speaker	Doss	King	Smith (K)
Adwell	Downing	Kinsey	Snell
Agee	Drake	Lutz	Stewart
Bank	Ellis	McDonald	Stokes
Barkett	Erdreich	McMillan	Stubbs
Bassett	Falkenburg	McNair	Taylor
Boutwell	Fite	Meeks	Therrell
Bowers	Goodwin	Merrill	Timmons
Brassell	Grainger	Naramore	Turner
Burgess	Gray (F)	Owens	Waggoner
Callahan	Grey (D)	Parker	Waldrop
Carnes	Hale	Reid (R)	Wallace
Carter	Headley	Reynolds	Warren
Collins	Hearn	Roberts	Williams
Coshatt	Hobbie	St. John	Wood
Cross	Hughes	Slate	Wynot
Culver	Jackson		

—66

Nays:

Messrs.:	Cauthen	Hardin	McCluskey
Adams	Chesnut	Hill	Nettles
Barron	Edwards	Lang	Pruitt
Benton	Flippo	McBride	

—14

And the bill:

H. 107. To replace the "Alabama Apartment Ownership Act" with a new statute establishing and regulating CONDOMINIUM developments, as regards definitions; the nature, ownership and rights to possession of condominium units, common elements and limited common elements; the establishment of condominium property and the contents and recordation of declarations and bylaws and the amendment thereof, deeds, mortgages and other instruments relating to units; the administration and management of condominiums; liability, civil actions and service of process by and against the condominium and its unit owners; the ascertainment and charging of expenses for common elements and limited common elements to unit owners; the as-

assessment of taxes and other public charges to unit owners; liens for labor and materials for work on condominium property and individual units; the mortgaging of condominium property and individual units; the termination of the condominium form of ownership; statutory construction; severability of the statute and repeal of the present Alabama Apartment Ownership Act (Title 47, Sections 286-313).

Mr. Collins offered the following amendment to the bill:

In H. B. 107 the last sentence of the title reading Title 47, Sections 286-313 shall be deleted and replaced by the following:

, Act No. 206, H. 81, First Special Session (Acts 1964, p. 266).

In H. B. 107 the following changes shall be made with regard to the section numbers:

Section 286 shall be Section 1.

Section 287 shall be Section 2.

Section 288 shall be Section 3.

Section 289 shall be Section 4.

Section 290 shall be Section 5.

Section 291 shall be Section 6. In subsection (c) of that section the words "Section 305" shall read Section 20.

Section 292 shall be Section 7. In the first sentence of that section the words "Section 296" shall read Section 11.

Section 293 shall be Section 8.

Section 294 shall be Section 9. In subsection (c) of that section the words "Section 292" shall read Section 7.

Section 295 shall be Section 10.

Section 296 shall be Section 11.

Section 297 shall be Section 12.

Section 298 shall be Section 13. In the second sentence of that section the words "Section 302" shall read Section 17.

Section 299 shall be Section 14.

Section 300 shall be Section 15.

Section 301 shall be Section 16. In the first sentence of that section the words "Section 303" shall read Section 18.

Section 302 shall be Section 17.

Section 303 shall be Section 18.

Section 304 shall be Section 19. In the first sentence of that section the words "Section 287 (k)" shall read Section 2 (k).

Section 305 shall be Section 20.

Section 306 shall be Section 21 and shall be amended to read as follows:

"Section 21. Zoning and Building. All laws, ordinances and regulations concerning buildings or zoning shall be construed and applied with reference to condominium property for dwelling purposes in the same manner as to other multi-family dwelling projects and developments of similar nature and use without regard to the form of ownership. No law, ordinance or regulation shall establish any requirement concerning the use or location, placement or construction of other buildings or other improvements which are, or may thereafter be subjected to the condominium form of ownership, unless such requirement shall be equally applicable to all buildings and improvements of the same kind not then or thereafter to be subjected to the condominium form of ownership."

Section 307 shall be Section 22.

Section 308 shall be Section 23.

Section 309 shall be Section 24.

Section 310 shall be Section 25.

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cross	Kinsey	Roberts
Agee	Culver	Lang	St. John
Bank	Doss	Lutz	Slate
Barkett	Downing	McCluskey	Smith (K)
Barron	Drake	McDonald	Smith (P)
Bassett	Easters	McMillan	Snell
Benton	Edwards	May	Stokes
Boles	Ellis	Meeks	Stubbs
Boutwell	Fite	Merrill	Taylor
Bowers	Flippo	Naramore	Therrell
Brassell	Goodwin	Nettles	Turner
Callahan	Grainger	O'Daniel	Waldrop
Carnes	Grey (D)	Owens	Wallace
Carter	Hardin	Parker	Warren
Cauthen	Hearn	Porter	Williams
Chesnut	Hill	Pruitt	Wise
Collins	Hughes	Reid (R)	Wood
Coshatt	Jackson	Reynolds	Wynot
Cottingham	King		

—74

And the bill:

H. 107. To replace the "Alabama Apartment Ownership Act" with a new statute establishing and regulating CONDOMINIUM developments, as regards definitions; the nature, ownership and rights to possession of condominium units, common elements and limited common elements; the establishment of condominium property and the contents and recordation of declarations and by-laws and the amendment thereof, deeds, mortgages and other instruments relating to units; the administration and management of condominiums; liability, civil actions and service of process by and against the condominium and its unit owners; the ascertainment and charging of expenses for common elements and limited common elements to unit owners; the assessment of taxes and other public charges to unit owners; liens for labor and materials for work on condominium property and individual units; the mortgaging of condominium property and individual units; the termination of the condominium form of ownership; statutory construction; severability of the statute and repeal of the present Alabama Apartment Ownership Act, Act No. 206, H. 81, First Special Session (Acts 1964, p. 266).

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Bassett	Burgess	Chesnut
Adams	Benton	Carnes	Collins
Adwell	Boutwell	Carter	Connell
Bank	Bowers	Casey	Coshatt
Barkett	Brassell	Cauthen	Cottingham

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Cross	Headley	Meeks	Smith (P)
Culver	Hearn	Merrill	Snell
Doss	Hill	Naramore	Stokes
Downing	Hobbie	Nettles	Stubbs
Drake	Hughes	O'Daniel	Taylor
Easters	Jackson	Owens	Therrell
Edwards	King	Parker	Timmons
Ellis	Kinsey	Porter	Turner
Erdreich	Lang	Pruitt	Turnham
Falkenburg	Lutz	Reid (R)	Waggoner
Fite	McCluskey	Reynolds	Waldrop
Flippo	McDonald	Roberts	Wallace
Goodwin	McMillan	Robertson	Warren
Grainger	McNair	St. John	Williams
Grey (D)	Mathews	Slate	Wood
Hale	May	Smith (K)	Wynot
Hardin			

—85

UNANIMOUS CONSENT GRANTED

At the request of Mr. Erdreich, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 107.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 261. To amend Act No. 68, H. 73, Acts of Alabama 1953, approved June 3, 1953, so as to provide for the establishment of prima facie evidence of intent to dispose of our convert property of another which is subject to lease.

Also:

By Mr. Harris:

S. 262. Providing for the creation of a lien on land and improvements in favor of those who rent or lease appliances, machinery or equipment for use in construction of improvements to land or in clearing or improving land.

Also:

By Mr. Harris:

S. 263. To provide for the return of certain leased or rented personalty obtained by fraud.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above, and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 261. Commerce and Transportation.

S. 262. Commerce and Transportation.

S. 263. Commerce and Transportation.

MOTION IN WRITING

Mr. Headley filed the following Motion in Writing:

Having voted on the prevailing side by which House Bill 377 failed to pass, notwithstanding the Governor's veto, I will move to reconsider at the proper time.

MOTION TO RECONSIDER ADOPTED

Having previously filed a Motion in Writing and voted on the prevailing side, Mr. Headley moved to reconsider the vote by which the Governor's veto was upheld on the bill, H. 377, and the motion was adopted.

Yeas 65; Nays 18.

Yeas:

Messrs.:	Crowe	Hill	Parker
Adwell	Culver	Hobbie	Perloff
Bank	Downing	King	Reid (R)
Barkett	Easters	Kinsey	Roberts
Barron	Ellis	Lang	Robertson
Bassett	Erdreich	Lutz	Smith (P)
Benton	Falkenburg	McBride	Snell
Boutwell	Fite	McCluskey	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	McNair	Stubbs
Callahan	Goodwin	May	Taylor
Carnes	Gray (F)	Meeks	Timmons
Casey	Gray (D)	Merrill	Waggoner
Cauthen	Hale	Naramore	Waldrop
Collins	Hardin	Nettles	Wood
Coshatt	Headley	Owens	Wynot
Cross	Hearn		

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Nays:

Messrs.:	Chesnut	McDonald	Turner
Adams	Cottingham	Mims	Turnham
Agee	Drake	Pruitt	Warren
Burgess	Hughes	St. John	Wise
Carter	Jackson	Slate	

—18

H. 377 RECONSIDERED

The House proceeded to reconsider the bill:

H. B. 377. Relating to counties of 500,000 or more; to authorize the distillation, manufacture or making of any alcoholic spirituous, vinous or otherwise alcoholic beverages and malt and brewed beverages in such county.

The question was upon the passage of the bill, H. 377, the Governor's veto to the contrary notwithstanding.

Yeas 54; Nays 27.

Yeas:

Messrs.:	Barkett	Boutwell	Callahan
Adwell	Benton	Bowers	Carnes
Bank	Boles	Brassell	Cauthen

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Collins	Gray (F)	Lutz	Perloff
Coshatt	Grey (D)	McBride	Reid (R)
Cross	Hale	McCluskey	Roberts
Culver	Hardin	McMillan	Snell
Downing	Headley	McNair	Stokes
Easters	Hearn	May	Taylor
Ellis	Hill	Meeks	Timmons
Erdreich	Hobbie	Naramore	Waggoner
Falkenburg	King	Nettles	Waldrop
Flippo	Kinsey	Owens	Wood
Grainger	Lang	Parker	

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Nays:

Messrs.:	Casey	Hughes	St. John
Adams	Chesnut	Jackson	Slate
Agee	Connell	McDonald	Stewart
Barron	Cottingham	Mims	Turner
Bassett	Doss	Porter	Turnham
Burgess	Drake	Pruitt	Warren
Carter	Fite	Reynolds	Wise

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SPECIAL ORDER RESUMED

And the bill:

H. 1143. To further amend Act No. 685, S. 364, Regular Session 1965, (Acts 1965, p. 1246), so as to further define the procedure concerning the organization of Water Management Districts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	Roberts
Adams	Crowe	Hobbie	St. John
Agee	Culver	Hughes	Slate
Bank	Doss	Jackson	Smith (K)
Barkett	Downing	King	Smith (P)
Barron	Drake	Kinsey	Snell
Bassett	Easters	Lutz	Stewart
Benton	Edwards	McCluskey	Stokes
Boles	Ellis	McMillan	Stubbs
Boutwell	Falkenburg	McNair	Taylor
Bowers	Fite	May	Therrell
Brassell	Flippo	Meeks	Turner
Burgess	Goodwin	Merrill	Turnham
Carnes	Grainger	Naramore	Waggoner
Carter	Gray (F)	Nettles	Waldrop
Casey	Grey (D)	Owens	Warren
Cauthen	Hale	Parker	Williams
Chesnut	Hardin	Porter	Wise
Collins	Headley	Pruitt	Wood
Coshatt	Hearn	Reynolds	Wynot
Cottingham			

—81

And the bill:

H. 299. (With Amendment): To make a supplemental appropriation to

the State Agency for Social Security for the fiscal year ending September 30, 1973.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend H. B. 299 by striking from Section 1. the following words and figures:

"Salaries	\$3,350.00	
Equipment Purchases	<u>3,500.00</u>	
Total		\$6,850.00"

and inserting in lieu thereof the following:

"Salaries	\$3,350.00	
Equipment Purchases	<u>5,500.00</u>	
Total		\$8,850.00"

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	St. John
Adams	Crowe	Jackson	Slate
Adwell	Culver	King	Smith (K)
Agee	Downing	Kinsey	Snell
Barkett	Drake	Lutz	Stewart
Barron	Easters	McDonald	Stokes
Bassett	Edwards	McMillan	Stubbs
Benton	Ellis	McNair	Taylor
Boles	Falkenburg	Mathews	Therrell
Boutwell	Fite	May	Timmons
Bowers	Flippo	Meeks	Turner
Brassell	Goodwin	Naramore	Turnham
Burgess	Grainger	Nettles	Waggoner
Carnes	Gray (F)	O'Daniel	Waldrop
Carter	Grey (D)	Owens	Wallace
Casey	Hale	Parker	Warren
Cauthen	Hardin	Porter	Williams
Chesnut	Headley	Reynolds	Wise
Collins	Hearn	Roberts	Wood
Connell	Hill	Robertson	Wynot
Cottingham			

—81

And the bill, H. 299 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Carter
Adams	Barron	Brassell	Casey
Adwell	Bassett	Burgess	Cauthen
Agee	Benton	Carnes	Chesnut

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Collins	Gray (F)	May	Stewart
Connell	Grey (D)	Meeks	Stokes
Coshatt	Hale	Merrill	Stubbs
Cottingham	Hardin	Naramore	Taylor
Cross	Headley	Nettles	Therrell
Crowe	Hearn	O'Daniel	Timmons
Culver	Hill	Owens	Turner
Downing	Hughes	Parker	Turnham
Drake	Jackson	Porter	Waggoner
Easters	King	Reynolds	Waldrop
Edwards	Kinsey	Roberts	Wallace
Ellis	Lang	St. John	Warren
Erdreich	Lutz	Slate	Williams
Fite	McMillan	Smith (K)	Wise
Flippo	McNair	Smith (P)	Wood
Goodwin	Mathews	Snell	Wynot
Grainger			

—81

And the bill:

H. 1549. To further amend Act No. 168, H. 270, Special Session 1966 (Acts 1966, p. 190), as amended, relating to the Alabama Historical Commission by increasing the Commission membership.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Cross	Jackson	Robertson
Adams	Crowe	King	St. John
Adwell	Culver	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Bank	Drake	McDonald	Smith (P)
Barkett	Edwards	McMillan	Snell
Barron	Ellis	McNair	Stewart
Bassett	Erdreich	Mathews	Stokes
Benton	Falkenburg	May	Stubbs
Boles	Flippo	Meeks	Therrell
Boutwell	Goodwin	Merrill	Timmons
Brassell	Grainger	Naramore	Turner
Burgess	Gray (F)	O'Daniel	Turnham
Carnes	Grey (D)	Owens	Waggoner
Carter	Hale	Parker	Waldrop
Cauthen	Hardin	Porter	Wallace
Chesnut	Headley	Pruitt	Warren
Collins	Hearn	Reid (R)	Williams
Connell	Hill	Reynolds	Wise
Coshatt	Hughes	Roberts	Wynot
Cottingham			

—81

Nay: Mr. Nettles.

—1

And the bill:

H. 793. To amend Section 12, of Title 48, of the Code of Alabama, 1940, as amended, which fixes the compensation of the president and the associate members of the Alabama Public Service Commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 10.

Yeas:

Messrs.:	Crowe	Hughes	Robertson
Adwell	Culver	Jackson	St. John
Bank	Downing	Lutz	Slate
Barron	Drake	McCorquodale	Smith (K)
Bassett	Edwards	McDonald	Smith (P)
Boles	Ellis	McMillan	Snell
Boutwell	Erdreich	Mathews	Stewart
Bowers	Fite	May	Stubbs
Brassell	Flippo	Meeks	Therrell
Burgess	Grainger	Merrill	Timmons
Carter	Gray (F)	Nettles	Turner
Chesnut	Hale	O'Daniel	Waggoner
Collins	Hardin	Parker	Wallace
Coshatt	Headley	Porter	Warren
Cottingham	Hearn	Reid (R)	Wise
Cross	Hill	Roberts	Wood

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Nays:

Messrs.:	Carnes	Goodwin	Waldrop
Adams	Cauthen	King	Wynot
Benton	Connell	Reynolds	

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MOTION TO SUSPEND RULES LOST

The motion of Mr. McCluskey to suspend the rules in order to bring up out of order the bill, H. 1217, was lost lacking a four-fifths vote.

Yeas 40; Nays 18.

Yeas:

Messrs.:	Chesnut	Gray (F)	Owens
Adams	Coshatt	Hearn	Smith (K)
Adwell	Cottingham	Hill	Smith (P)
Agee	Crowe	Hughes	Stewart
Barkett	Edwards	McDonald	Stubbs
Boutwell	Erdreich	McMillan	Turner
Bowers	Falkenburg	McNair	Waldrop
Brassell	Fite	May	Wallace
Burgess	Flippo	Meeks	Wood
Callahan	Grainger	Nettles	Wynot
Carnes			

—40

Nays:

Messrs.:	Culver	Kinsey	Naramore
Barron	Goodwin	Lang	Slate
Bassett	Grey (D)	Lutz	Therrell
Benton	Hobbie	McCorquodale	Turnham
Cauthen	King	Merrill	

—18

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Stubbs and King, unanimous consent was granted for their names to be added as co-sponsors to the bill, H. 1572.

RESOLUTION

The following resolution was introduced:

By Mr. Downing:

H. J. R. 230. CREATING AN INTERIM COMMITTEE TO STUDY THE PURCHASE SYSTEM FOR THE ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD.

WHEREAS, there has recently been considerable criticism of the purchase system used by the Alabama Alcoholic Beverage Control Board; and

WHEREAS, other states seem to handle this situation in a different manner; and

WHEREAS, there is great need for study in this sphere of state government; now therefore,

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a six member ABC Purchases Interim Study Commission to be composed of two members of the legislature appointed by the Governor, two members of the legislature appointed by the Lt. Governor and two members of the legislature appointed by the Speaker of the House.

The commission shall choose one of its members as chairman and shall meet at such time and places as the commission shall designate, provided however that any two members may call a meeting at any time by written notice to the other members of the board giving them at least one week's prior notice of the meeting. Two members of the board shall constitute a quorum for the transaction of business and all state records, including but not limited to, all records of the state ABC board shall be made available to the commission on a priority basis.

The commission shall file a written report with the Governor, Lt. Governor, Speaker and the legislature by the tenth legislative day of the Regular Session of 1975 and they shall give a written or oral report at any time requested by the Governor, Lt. Governor or Speaker of the House. Any report made by the commission shall constitute a public record.

The resolution, H. J. R. 230, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Wilder:

S. 245. To amend Article 3 of Chapter 10 of Title 55, Code of Alabama 1940 by amending Section 347 thereof, relating to creation of boxing and wrestling commission, membership, oath, etc; to further amend Section 348 thereof, relating to seal; powers, authority and duties of the commission;

and to amend Section 349 thereof relating to compensation and expenses of members.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 245. Commerce and Transportation.

SPECIAL ORDER RESUMED

And the bill:

H. 1572. To provide for the establishment of regional mental health-mental retardation facilities to furnish aid to all aspects of mental retardation-mental illness, including but not limited to alcoholism, drug addiction, and epilepsy; to authorize such corporations to implement programs and to construct, maintain, equip, and operate facilities; to provide that such programs and facilities be used in accordance with standards and criteria established by the State Board of Health and the Alabama Mental Health Board; to provide for the powers, authorities, and duties of such corporations; to authorize the said corporations to enter into contracts with any agency for the purpose of carrying into effect the above; to authorize local governing bodies to appropriate monies for the support of such facilities and programs; to provide specific local funds to carry out the above; to repeal and supersede Act No. 310, H. 591, Regular Session 1967 (Acts 1967, p. 853).

Was taken up.

H. 1572 INDEFINITELY POSTPONED

On motion of Mr. Cauthen, the bill, H. 1572, was indefinitely postponed.

Yeas 41; Nays 36.

Yeas:

Messrs.:	Coshatt	Kinsey	Porter
Barron	Crowe	McBride	Pruitt
Bassett	Downing	McCluskey	Reynolds
Benton	Easters	McCorquodale	Stewart
Boles	Edwards	May	Stokes
Bowers	Ellis	Meeks	Therrell
Callahan	Falkenburg	Merrill	Waldrop
Carnes	Goodwin	Naramore	Wallace
Casey	Grey (D)	Parker	Warren
Cauthen	Hardin	Perloff	Wood
Chesnut	Hughes		

Nays:

Messrs.:	Barkett	Connell	Fite
Adams	Brassell	Cottingham	Flippo
Agee	Burgess	Cross	Grainger
Bank	Carter	Drake	Gray (F)

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Hale	Lang	Mathews	Snell
Headley	Lutz	Nettles	Stubbs
Hearn	McDonald	Owens	Turner
Hill	McMillan	Roberts	Turnham
Hobbie	McNair	St. John	Waggoner
King			

—36

And the bill:

H. 491. (With Amendment): To make it a felony to use any firearm or knife to commit any crime under the laws of this state; to prescribe the punishment therefor; and to provide that such crime and punishment is in addition to the crime committed by the use of any firearm or knife and the punishment prescribed for such crime.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

House Bill 491 is hereby amended by inserting the following in place of Section 1.

Section 1. Whenever any person in this state uses any firearm or knife to commit an assault, assault and battery, or felony under the laws of this state, such person shall be guilty of a separate felony for the use of said firearm or knife and upon conviction shall be punished, at the discretion of the jury, by imprisonment in the state penitentiary for not less than one year, or more than ten years.

And the amendment was adopted.

Yeas 57; Nays 0.

Yeas:

Messrs.:	Cottingham	Kinsey	Roberts
Bank	Cross	Lang	Robertson
Barkett	Culver	Lutz	St. John
Barron	Downing	McBride	Slate
Benton	Drake	McCorquodale	Smith (K)
Boles	Easters	McDonald	Stokes
Boutwell	Edwards	May	Therrell
Bowers	Ellis	Meeks	Turner
Brassell	Goodwin	Merrill	Turnham
Carnes	Grainger	Naramore	Waldrop
Carter	Hale	O'Daniel	Wallace
Casey	Headley	Owens	Warren
Chesnut	Hill	Parker	Williams
Connell	Hughes	Reynolds	Wise
Coshatt	King		

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And the bill, H. 491 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 1.

Yeas:

Mr. Speaker	Bank	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

Callahan	Erdreich	McBride	Robertson
Carnes	Falkenburg	McCluskey	St. John
Carter	Flippo	McCorquodale	Slate
Casey	Goodwin	McDonald	Smith (K)
Cauthen	Grainger	Mathews	Snell
Chesnut	Grey (D)	May	Stewart
Connell	Hale	Meeks	Stokes
Coshatt	Hardin	Merrill	Stubbs
Cottingham	Headley	Naramore	Taylor
Cross	Hearn	Nettles	Therrell
Crowe	Hill	Owens	Turner
Doss	Hughes	Parker	Waldrop
Downing	Jackson	Porter	Wallace
Drake	King	Pruitt	Warren
Easters	Kinsey	Reid (R)	Williams
Edwards	Lang	Reynolds	Wise
Ellis	Lutz	Roberts	Wynot

—80

Nay: Mr. Gray (F).

—1

And the bill:

H. 488. To require the granting of either compensatory leave or overtime pay to all State, county and municipal law enforcement officers.

Was taken up.

Mr. Hale offered the following amendment to the bill:

Amend H. B. 488 by deleting from the 3rd line of Section 1 the word "must" and substituting in lieu thereof the word "may" and by deleting from the 2nd line of Section 2 the word "shall" and substituting in lieu thereof the word "may."

AMENDMENT TABLED

On motion of Mr. Hobbie, the amendment offered by Mr. Hale was tabled.

Yeas 67; Nays 6.

Yeas:

Mr. Speaker	Crowe	King	St. John
Adams	Downing	Kinsey	Slate
Agee	Drake	Lang	Smith (P)
Barkett	Easters	McBride	Snell
Barron	Edwards	McCluskey	Stewart
Benton	Ellis	McDonald	Stokes
Boutwell	Flippo	McMillan	Taylor
Brassell	Goodwin	Mathews	Therrell
Callahan	Grainger	May	Timmons
Carnes	Gray (F)	Meeks	Turner
Carter	Grey (D)	Merrill	Waggoner
Casey	Headley	Naramore	Waldrop
Chesnut	Hearn	Owens	Wallace
Connell	Hill	Perloff	Williams
Coshatt	Hobbie	Porter	Wise
Cottingham	Hughes	Reynolds	Wynot
Cross	Jackson	Roberts	

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Nays:

Messrs.:	Fite	Lutz	Wood	
Cauthen	Hale	McCorquodale		—6

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Coshatt, Hearn and Wynot, unanimous consent was granted for their names and all members voting "Yea" on the bill, H. 488, to be added as co-sponsors.

And the bill, H. 488, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 2.

Yeas:

Messrs.:	Doss	King	St. John	
Adams	Downing	Kinsey	Slate	
Adwell	Drake	Lang	Smith (K)	
Agee	Easters	McBride	Smith (P)	
Barkett	Edwards	McDonald	Snell	
Barron	Ellis	McMillan	Stewart	
Benton	Fite	McNair	Stokes	
Boles	Flippo	Mathews	Stubbs	
Boutwell	Goodwin	May	Taylor	
Brassell	Grainger	Meeks	Therrell	
Burgess	Gray (F)	Merrill	Timmons	
Callahan	Gray (D)	Naramore	Waggoner	
Carnes	Hale	O'Daniel	Waldrop	
Carter	Headley	Owens	Wallace	
Cauthen	Hearn	Perloff	Warren	
Chesnut	Hill	Porter	Wise	
Connell	Hobbie	Reid (R)	Wood	
Coshatt	Hughes	Reynolds	Wynot	
Crowe	Jackson	Roberts		—74

Nays: Messrs. Cottingham and Turner. —2

And the bill:

H. 939. (With Amendments): To provide for a guaranteed minimum starting wage or salary for all state, county, municipal, or political subdivision law enforcement officers of this state and provide for the enforcement of the provisions of this act.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 939 by inserting in Section 1 following the figures \$500.00, the words, "per month".

And the amendment was adopted.

Yeas 69; Nays 1.

Yeas:

Messrs.:	Adwell	Barron	Boles
Adams	Agee	Benton	Boutwell

Brassell	Goodwin	McDonald	Smith (P)
Callahan	Grainger	McMillan	Snell
Carnes	Gray (F)	McNair	Stewart
Carter	Grey (D)	May	Stubbs
Cauthen	Hale	Meeks	Taylor
Chesnut	Headley	Naramore	Therrell
Connell	Hearn	Nettles	Timmons
Cottingham	Hill	Owens	Waggoner
Cross	Hobbie	Perloff	Waldrop
Doss	Hughes	Porter	Wallace
Downing	Jackson	Pruitt	Warren
Easters	King	Roberts	Williams
Edwards	Kinsey	St. John	Wise
Ellis	Lang	Slate	Wood
Fite	Lutz	Smith (K)	Wynot
Flippo	McBride		

—69

Nay: Mr. Parker.

—1

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 939 by adding at the end of Section 1 the following:

"This shall not apply to any city or county that does not employ four or more persons."

And the amendment was adopted.

Yeas 70; Nays 4.

Yeas:

Mr. Speaker	Downing	Kinsey	Slate
Adams	Drake	Lang	Smith (K)
Adwell	Easters	McBride	Smith (P)
Agee	Edwards	McCorquodale	Snell
Barkett	Ellis	McMillan	Stewart
Barron	Flippo	May	Stokes
Benton	Goodwin	Meeks	Stubbs
Boles	Grainger	Merrill	Taylor
Boutwell	Gray (F)	Naramore	Therrell
Brassell	Grey (D)	Nettles	Timmons
Burgess	Hale	O'Daniel	Turner
Callahan	Headley	Owens	Waggoner
Carnes	Hearn	Perloff	Waldrop
Carter	Hill	Porter	Wallace
Cauthen	Hobbie	Pruitt	Williams
Chesnut	Hughes	Reid (R)	Wise
Cottingham	Jackson	Roberts	Wood
Cross	King		

—70

Nays:

Messrs.:	Lutz	McNair	Parker
Coshatt			

—4

And the bill, H. 939 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 73; Nays 7.

Yeas:

Messrs.:	Crowe	Kinsey	St. John
Adams	Downing	Lang	Slate
Adwell	Drake	Lutz	Smith (K)
Agee	Easters	McBride	Smith (P)
Barkett	Edwards	McDonald	Snell
Barron	Ellis	McMillan	Stewart
Benton	Fite	McNair	Stokes
Boles	Flippo	May	Stubbs
Boutwell	Goodwin	Meeks	Taylor
Brassell	Grainger	Merrill	Therrell
Burgess	Gray (F)	Naramore	Timmons
Callahan	Gray (D)	O'Daniel	Waggoner
Carnes	Hale	Owens	Waldrop
Carter	Headley	Perloff	Wallace
Cauthen	Hill	Porter	Warren
Chesnut	Hobbie	Reid (R)	Williams
Connell	Hughes	Reynolds	Wise
Coshatt	Jackson	Roberts	Wynot
Cross	King		

—73

Nays:

Messrs.:	Cottingham	Nettles	Turner
Casey	Hardin	Parker	Wood

—7

UNANIMOUS CONSENT GRANTED

At the request of Mr. Ellis, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 939.

And the bill:

H. 1255. Relating to law enforcement officers; requiring any unit or agency of state, county or municipal government which employs any duly authorized law enforcement officer to reimburse such officer who is sued or prosecuted for any act committed or done within the line and scope of his duties, for legal counsel fees, witness fees and court costs paid in defense of such suit or prosecution; authorizing the attorney general to prescribe the method of determining whether the act in question was committed in line of duty; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 2.

Yeas:

Messrs.:	Brassell	Cottingham	Flippo
Adams	Burgess	Cross	Goodwin
Adwell	Callahan	Downing	Grainger
Agee	Carnes	Drake	Gray (F)
Barkett	Carter	Easters	Gray (D)
Barron	Casey	Edwards	Hale
Benton	Chesnut	Ellis	Headley
Boles	Connell	Falkenburg	Hearn
Boutwell	Coshatt	Fite	Hill

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Hobbie	McDonald	Porter	Therrell
Hughes	McMillan	Roberts	Timmons
Jackson	Meeks	St. John	Turner
King	Merrill	Smith (K)	Waggoner
Kinsey	Naramore	Smith (P)	Waldrop
Lang	Nettles	Snell	Wallace
Lutz	O'Daniel	Stewart	Warren
McBride	Owens	Stubbs	Wise
McCluskey	Parker	Taylor	Wynot
McCorquodale	Perloff		

—73

Nays: Messrs. Cauthen and Slate.

—2

And the bill:

H. 971. To amend Section 2 of Act No. 350, Regular Session 1945 (Acts 1945, p. 565), authorizing the governing body of any county or certain municipalities to create a recreation board, so as to authorize the governing body of any such county or municipality, within the discretion of any such governing body, to increase the members of such recreation boards from five to not less than five nor more than seven.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Downing	King	Reynolds
Adams	Drake	Kinsey	Roberts
Adwell	Easters	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Benton	Fite	McDonald	Snell
Boles	Flippo	McMillan	Stewart
Boutwell	Goodwin	McNair	Stubbs
Brassell	Grainger	Mathews	Taylor
Burgess	Gray (F)	Meeks	Therrell
Carnes	Grey (D)	Merrill	Timmons
Carter	Hale	Naramore	Turner
Casey	Headley	Nettles	Waldrop
Cauthen	Hearn	O'Daniel	Warren
Chesnut	Hill	Owens	Williams
Connell	Hobbie	Parker	Wise
Cottingham	Hughes	Perloff	Wood
Crawford	Jackson	Porter	Wynot
Cross			

—77

And the bill:

H. 1385. To provide for the creation of public corporations as political subdivisions of the State by initiation of City and County governments within the various counties to acquire, enlarge, improve, expand, own, operate, lease and dispose of properties to the end that such corporations may be able to enhance the public health and welfare by providing for the disposal of solid wastes generated through sanitary landfills and other approved methods of disposal, to authorize the fixing and collection of charges and other fees for services rendered, to establish the procedure for incorporation through initiation of two or more participating governing bodies, to provide for the con-

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tents of the Certificate of Incorporation and to require approval thereof by the participating governing bodies, to provide for filing and approval of the Certificate of Incorporation by and with the Judge of Probate in the County where the participating governing bodies function, to provide for the method of amending the Certificate of Incorporation, to provide for the government and management of the corporation through a Board of Directors, with designation of terms of office and providing for successor directors and allowing for officers and employees of the participating entities or governing bodies to serve as such, and to require no compensation for such directors except for reimbursement of actual expenses, to provide for the powers of the corporation, to exempt the corporation from usury laws and from taxation, to allow for investment of municipal and county funds in the obligations of the corporation, and to authorize appropriation of funds and conveyance of properties of participating entities to the corporation with or without compensation, to declare non-liability of participating entities for the obligations of the corporation, and to deny such as debts of such entities, to provide for the means of dissolution of the corporation, to exempt the corporation from payment of any taxes for the recording of documents with the judge of Probate, to provide that the powers granted the corporation are cumulative and to express the non-limitation of powers of other State and governmental subdivisions, to provide for the severability of the provisions of the Act, and for its effective date, and to definitions and legislative interest.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 1.

Yeas:

Mr. Speaker	Cross	King	Reynolds
Adams	Doss	Kinsey	Roberts
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McBride	Smith (K)
Benton	Edwards	McCluskey	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stubbs
Brassell	Flippo	McNair	Taylor
Burgess	Goodwin	Mathews	Therrell
Callahan	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Naramore	Waggoner
Casey	Hardin	Nettles	Waldrop
Cauthen	Headley	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Connell	Hill	Parker	Williams
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Porter	Wynot
Crawford	Jackson	Reed (T)	—79

Nay: Mr. Wood. —1

And the bill:

H. 1829. (With Amendment): Pursuant to constitutional amendment CCCXVII ratified on January 27, 1972, this bill creates the Judicial Retirement Fund, and provides for the administration and supervision thereof; pro-

vides for the qualifications for retirement benefits for certain judicial officers; provides for the payment of retirement and disability benefits from the fund to qualified individuals; and provides for appropriations to carry out the provisions of the Act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendments being as follows:

1. Amend Section 3(a) of said bill by substituting for the words "one per cent" as they appear in said section the words "two per cent."

2. Amend Section 7(c) by striking the last sentence of said section, which last sentence begins with the words, "If said justice or judge is not survived by a spouse, but is survived by a minor child or children, etc."

AMENDMENT TABLED

On motion of Mr. Slate, the amendment reported by the Standing Committee on Ways and Means was tabled.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	Reynolds
Adwell	Downing	Lang	Roberts
Agee	Drake	Lutz	Slate
Bank	Edwards	McBride	Smith (K)
Barkett	Ellis	McCluskey	Smith (P)
Barron	Falkenburg	McDonald	Snell
Benton	Fite	McMillan	Stewart
Boles	Flippo	McNair	Stokes
Boutwell	Goodwin	Mathews	Stubbs
Brassell	Grainger	Meeks	Therrell
Callahan	Gray (F)	Naramore	Timmons
Carnes	Grey (D)	Nettles	Turner
Carter	Headley	O'Daniel	Waldrop
Casey	Hearn	Owens	Warren
Cauthen	Hill	Parker	Williams
Chesnut	Hobbie	Perloff	Wise
Coshatt	Hughes	Porter	Wood
Cottingham	King	Reed (T)	Wynot
Cross			

—73

Mr. Slate offered the following substitute to the bill, H. 1829.

A BILL TO BE ENTITLED AN ACT

Pursuant to constitutional amendment CCCXVII ratified on January 27, 1972, this bill creates the Judicial Retirement Fund, and provides for the administration and supervision thereof; provides for the qualifications for retirement benefits for certain judicial officers; provides for the payment of retirement and disability benefits from the fund to qualified individuals; and provides for appropriations to carry out the provisions of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established a continuing fund to be known as the Judicial Retirement Fund. The fund shall be made up from contributions from justices of the supreme court, judges of the court of civil appeals, judges of the court of criminal appeals, and the judges of the several circuit courts of the state, and from a yearly sum to be paid into such fund from the general fund in the state treasury in such amount as shall be sufficient to carry out the provisions of this Act.

Section 2. The judicial retirement fund shall be administered by the secretary-treasurer of the state employees' retirement system under the supervision of the board of control of the said state employees' retirement system; and said board of control shall be the trustee of such fund and shall handle such fund in the same manner and pursuant to the same rules and regulations that it handles funds in the state employees' retirement system. The state comptroller shall issue warrants for the disbursement of such fund in the same manner that he issues warrants for the disbursement of funds of the state employees' retirement system. Any justice or judge or spouse and/or child of a justice or a judge who is aggrieved by any decision of the board of control shall have the right to appeal to the Supreme Court of Alabama where the Supreme Court shall hear said appeal de novo.

Section 3. (a) Every justice of the supreme Court, Judge of the court of civil appeals, judge of the court of criminal appeals, and judge of the circuit court of the state now holding office shall have the right of election to come under the provisions of this Act. Each such justice or judge holding office at the time of the adoption of this Act shall have the right within three years from the adoption of this Act to file with the Clerk of the Supreme Court of Alabama, an instrument in writing electing to come under the provisions of this Act. Each justice or judge of such courts hereafter elected or appointed to office shall come under the provisions of this Act as a matter of law. After the taking effect of this Act, each such justice and each such judge who has elected to come under the provisions of this Act as herein provided or who comes under the provisions of this Act by operation of law, shall contribute to the judicial retirement fund four and one-half percent of his or her earnable compensation. Such percentages shall be deducted by the State Comptroller from each such justice's or judge's salary and paid into the judicial retirement fund in the state treasury, and credited to the individual account of the justice or judge from whose salary it was deducted.

(b) Members of the retirement fund who heretofore, during a term for which they had been appointed or elected to a judicial office covered by this Act, for which prior service credit toward retirement under this Act is given, entered the military services of the United States, and judicial officers covered by this Act hereafter entering the armed forces of the United States who return to service as a justice or judge shall be given full credit for the time of such military service; provided that a contribution be made into the judicial retirement fund in an amount equal to that which would have been contributed had such member remained and served in the judicial office to which he had been duly elected or appointed. Request for such service credit must be made within ninety days after returning to service as such justice or judge, or such service credit shall be forfeited forever. When requests for such service credit has been approved by the board of control of the judicial retirement fund and the chief justice of the supreme court, contributions as required shall commence within sixty days and be made in equal payment within the following twelve months. Military service credit granted to a justice or a

judge shall include credit for service during World War II, but in computing any service with the armed forces for credit after World War II, service credited shall be limited to service for a period not to exceed five years, provided that the judge was on official leave of absence from his judicial position and further provided that the length of service so granted shall not exceed the term of office for which such justice or judge had been appointed or elected prior to his entering military service.

Section 4. Every member of the judicial retirement fund who meets the requirements for retirement prescribed in this Act shall be entitled to be retired and to receive a pension as hereinafter provided. Such retirement shall be on order of the board of control of the judicial retirement fund and upon the request of the member to be retired, or on an order signed by a majority of the members of the supreme court.

Section 5. (a) The chief justice or any associate justice of the supreme court, any judge of the court of civil appeals or any judge of the court of criminal appeals, serving when this Act becomes law who elects to become a member of the retirement system hereby established and any such justice or judge hereafter assuming such office may elect to be retired pursuant to this Act if he or she:

(1) has served as much as five years as a justice of the supreme court or as a judge of one of the courts of appeals or as a judge of the circuit court or any two or more of them consecutively and who has become permanently, physically or mentally, unable to carry out his duties on a full time basis, proof of such disability being made by certificate of three reputable physicians; or

(2) has served for twelve years as a justice of the supreme court or as a judge of one of the courts of appeals or one of the circuit courts or any two or more of them and has reached or passed the age of sixty-five years; or

(3) has served for fifteen years as a justice of the supreme court or as a judge of one of the courts of appeals or one of the circuit courts, or any two or more of them and has attained age sixty-two less one year for each year of service in excess of fifteen; or

(4) has served for ten years as a justice of the supreme court or as a judge of one of the courts of appeals or one of the circuit courts, or any two or more of them, and who is not less than seventy years of age; or

(5) has served for not less than eighteen years or three full terms or a time equal to three full terms, as a justice of the supreme court or as a judge of one of the courts of appeals or one of the circuit courts.

(b) Any judge of a circuit court, serving when this Act becomes law, who elects to become a member of the retirement fund hereby established and any circuit judge hereafter assuming such office may elect to be retired pursuant to this Act, if he or she:

(1) has served as much as five years as a circuit judge and who has become permanently, physically or mentally, unable to carry out his duties on a full time basis, proof of such disability being made by certificate of three reputable physicians; or

(2) has served for twelve years as a circuit judge and has reached or passed the age of sixty-five years; or

(3) has served for fifteen years as circuit judge, and who is not less than sixty-two years of age; or who has served as such for more than fifteen years and has attained age sixty-two less one year for each year of service in excess of fifteen; or

(4) has served continuously for ten years as circuit judge and who is not less than seventy years of age; or

(5) has served for not less than eighteen years or three full terms, or a time equal to three full terms, as a circuit judge.

Section 6. (a) Any justice of the supreme court or any judge of one of the courts of appeals or of one of the circuit courts of the state who desires to be retired pursuant to this Act shall file a written declaration relative to his intention to elect such retirement with the chief justice of the supreme court, who, upon finding the existence of the conditions prerequisite to such retirement, shall endorse his findings thereon and forward said declaration to the secretary-treasurer of the judicial retirement fund. The retiring justice or judge, upon being retired, shall take the oath of office as a retired justice or judge and thereupon become an extra or additional judge of the state. Thereafter, on the request of the chief justice, the presiding judge of one of the courts of appeals, or the Governor, any such retired justice or judge may serve on the supreme court, either of the courts of appeals or any circuit court in the state. Such retired justice or judge, when serving on a court in the absence or disqualification of the regular justice or judge, as the case may be, shall have and exercise all the duties and functions of the regular justice or judge for whom he is substituting. When serving on a court for reasons other than the absence or disqualification of the regular justice or judge, the duties of a retired justice or judge shall be as prescribed by the chief justice when serving on the supreme court, or by the presiding judge when serving on a court of appeals, or by the regular circuit judge, or the presiding judge, if there is a presiding judge in the circuit, when serving in a circuit court. However, nothing contained herein shall prevent the chief justice from assigning a justice or a judge to special temporary duty in other courts. A recital in the minutes of the court that a regular justice or judge is absent or disqualified, and that a retired justice or judge is sitting in his place at the request of the chief justice, the presiding judge of one of the courts of appeals or the Governor shall be conclusive evidence of his authority to act.

(b) The chief justice or any associate justice of the supreme court or any judge of a court of appeals or a circuit court who becomes seventy years of age during the term for which he has been elected and is serving, who is qualified to be retired pursuant to this Act, who does not at or before the expiration of his term file his written declaration stating that he intends to retire at the end of the term he is then serving shall be deemed to have waived and forfeited his right to receive any retirement benefits hereunder. He shall, however, be entitled to a refund of his contributions to the retirement fund.

Section 7. (a) The retirement benefit payable to a justice of the supreme court or judge of one of the courts of appeals, retiring pursuant to Section 5, subsection (a), item (2), (3), (4) or (5) of this Act shall be seventy-five percent of the salary prescribed by law for the position from which he retires, payable monthly for the rest of his life. Such benefit shall continue to be seventy-five percent of his salary prescribed by law for such position and shall change in amount as such salary is hereafter increased or decreased by law, and shall not be subject to writs of attachment or garnishment.

(b) The retirement benefit payable to a judge of a circuit court retiring pursuant to Section 5, subsection (b), items (2), (3), (4) or (5) of this Act shall be seventy-five percent of the salary prescribed by law of the salary payable from the state treasury to circuit judges. Such retirement benefits shall be payable monthly for the life of the beneficiary, and shall continue to be seventy-five percent of the salary then prescribed by law for the respective position and shall change in amount as such salaries are hereafter increased or decreased by law, and shall not be subject to writs of attachment or garnishment.

(c) After the death of any justice or judge who has held office for a minimum of five years, his spouse shall receive a yearly benefit equivalent to three percent of the salary payable from the state treasury prescribed by law for his former position as either a justice or judge, as the case may be, for each year of service, not to exceed thirty percent of such salary, payable monthly for the remainder of such spouse's life or until his or her remarriage and shall change in amount as such salary is hereafter increased or decreased by law.

(d) Any justice or judge retiring pursuant to Section 5, subsection (a), items (1), or Section 5, subsection (b), item (1), who has served for ten years, shall be entitled to a disability benefit allowance payable monthly from the judicial retirement fund equal to seventy-five percent of the salary payable from the state treasury for the position he held at the time he retires. If such disabled justice or judge has served less than ten years he shall be entitled to receive a monthly disability benefit that is equal to twenty-five percent of the salary payable from the state treasury for the position he held at the time he retires plus ten percent of such salary for each year of service in excess of five years; provided, however, that in no event shall such justice or judge receive less than thirty percent of the annual salary being paid to a full time justice or judge, as the case may be, from the state treasury.

(e) Every justice or judge who has retired pursuant to this Act may, on the request of the chief justice, the presiding judge of a court of appeals, or the Governor, be called to active duty status, and when serving with the supreme court or courts of appeals, perform such duties as may be prescribed by the chief justice, or the presiding judge of the court of appeals with which he is serving. Such retired justice or judge of a court of appeals in such active service status shall receive an additional sum during the term of such service which, when added to his retirement benefits, would amount to two hundred and fifty (\$250.00) dollars per month less than the monthly salary paid a justice or judge of the appellate court from which he has retired. The salary paid a retired circuit judge called to active service with the supreme court or a court of appeals shall be the salary paid a circuit judge, in the circuit from which said judge retired. The salary paid a retired circuit judge called to active service as a circuit judge shall be the salary paid a regular judge in the circuit to which he is assigned or in the circuit from which he retired, whichever is greater. In no event, however, shall the total compensation paid to a retired circuit judge on active status during any calendar year exceed a sum which is \$1,000.00 less than the compensation received by a regular judge in the circuit from which such judge retired. The chief justice, with the advice of the supreme court or the presiding judge of a court of appeals, with the advice of the court over which he presides, shall determine whether such retired justice or judge is satisfactorily performing his assigned duties. Upon determination that such retired justice or judge is not satisfactorily performing

such duties, such retired justice or judge shall immediately be removed from active status and his additional active duty compensation shall be stopped.

Except as above provided a retired justice or judge shall hold office as such additional or extra judge during good behavior and may be removed only for causes specified in the Constitution. Such retired justices or judges may, however, but subject to the approval of the chief justice, be transferred to inactive status, upon request for such transfer. Justices or judges who revert to inactive status shall be entitled to the same retirement benefits prescribed in subsections (a) and (b), of this section for justices and judges who have retired. Whenever a retired justice or judge of a court of appeals is serving in a circuit court, he shall receive compensation equal to that due the regular judge of that circuit for the performance of such duties, such compensation to be paid in the same manner as the compensation of the regular circuit judge is paid, and whenever a retired justice or a judge of a court of appeals is serving as an active member on the supreme court or on one of the courts of appeals, then he shall be entitled to receive during the time of such service, compensation equal to that due a regular justice or judge for the performance of such duties, such compensation to be paid in the same manner as the compensation of a regular justice or judge is paid. A retired justice, or judge of one of the courts of appeals, or circuit judge, while serving with the supreme court or one of the courts of appeals for reasons other than the absence or disqualification of a justice or judge shall perform such duties as may be prescribed by the chief justice when serving with the supreme court, or as prescribed by the presiding judge of the court of appeals with which he may be serving. Nothing contained herein or hereafter shall limit the power and authority of the chief justice to transfer a retired justice or judge from inactive status to active status, or from active status to inactive status as the public interest in his judgment requires.

Section 8. Whenever a justice or judge retires pursuant to this Act the office then held by him shall become vacant; and the vacancy shall be filled as provided by Article VI, Section 158 of the Constitution or such other applicable Section or Sections of the Constitution.

Section 9. This Act shall not apply to nor in any wise affect benefits paid to justices of the supreme court nor to judges of either of the courts of appeals or of the circuit court who have become supernumerary justices or judges pursuant to the provisions of Code of Alabama 1940, Title 13, Sections 31-33, or Act No. 288 (General Acts of Alabama 1945, p. 478) or any other applicable Act as such Acts have been amended, supplemented or superseded. Provided further that any judge of a circuit court holding office at the time this Act becomes law who is entitled to credit for prior service toward earning supernumerary status in a position other than as a circuit judge, shall be entitled to have all such service credited toward retirement status under this bill provided he does so within three years from the date this Act becomes law by notifying the supreme court in writing of the service for which he is at that time entitled to credit toward obtaining supernumerary status and for which he desires credit toward retirement under the judicial retirement fund provided by this Act. Upon receipt of such notice the supreme court shall make a judicial determination of the amount of such credit to which such judge is entitled and shall notify the board of control of the state employees' retirement system of this determination and such service shall be credited to such judge's retirement benefits and shall be counted as time of service as a circuit judge under this Act.

Section 10. Any justice or judge holding office as a member of the supreme court, a court of appeals, or of a circuit court at the time this Act becomes law, who has paid contributions into the Employees Retirement System of Alabama, shall be entitled to have such contributions transferred from the Employees' Retirement System of Alabama into the Judicial Retirement Fund and to receive credit for the time of service he had acquired under the Employees' Retirement System of Alabama as time of service in the judicial position which he holds at the time of the adoption of this Act, regardless of whether or not such time of service was continuous, provided such time of service acquired under the Employees' Retirement System of Alabama was in a legal or judicial position, and further provided such justice or judge requests such transfer within three years from the date of the time that this Act becomes law. Upon request of such justice or judge, the Secretary-Treasurer of the Employees' Retirement System of Alabama shall transfer such contributions and accrued interest thereon into the Judicial Retirement Fund and shall certify to the Judicial Retirement Fund and to such justice or judge the time of service that such justice or judge had accumulated in the Employees' Retirement System of Alabama, which said time of service shall count toward any judicial retirement benefit. Any justice or judge of the supreme court, a court of appeals, or of a circuit court holding office at the time this Act becomes law who has had time of service in a legal or judicial position in which he could have become a member of the Employees' Retirement System of Alabama, if he had elected to do so but did not so elect, or who has time of service in the Employees' Retirement System of Alabama in a legal or judicial position, but has since withdrawn the contributions to such system, or who has time of service in the legislature of Alabama, provided credit may be claimed for a maximum of two and one-half years' service in the legislature shall be entitled to have such time of service, regardless of whether or not such time of service was continuous, treated as time of service in the judicial position he holds at the time this Act becomes law; provided, such justice or judge pays into the Judicial Retirement Fund of Alabama a sum equal to four and one-half percent of his then annual salary for each year of such service that he elects to count toward judicial retirement; and further provided such election and payment is made to the Secretary-Treasurer of the Employees' Retirement System of Alabama within three years from the date this Act becomes law. Should the records of the Employees' Retirement System of Alabama fail to reflect the position held thereunder, affidavits from disinterested persons that such position was a legal or judicial position shall suffice as proof thereof.

Should the service of a justice or a judge of the supreme court, a court of appeals, or a circuit court be terminated prior to the time he is entitled to receive retirement benefits under this Act, the then such justice or judge shall have the right to elect to withdraw from the Judicial Retirement Fund and to have refunded to him his contributions to the Judicial Retirement Fund, plus accrued interest thereon; provided, further, should such a justice or judge not elect to withdraw from the Judicial Retirement Fund he shall be entitled to receive a certificate from the Secretary-Treasurer of the Employees' Retirement System of Alabama showing the time of service he has accumulated toward retirement. If he has sufficient time of service for any retirement benefit herein provided upon reaching a retirement age, or upon becoming permanently disabled as defined in this Act or upon his death, such certificate may be filed as proof of time of service with the then Secretary-Treasurer of the Judicial Retirement Fund in lieu of the requirements of Section 6; however,

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he shall indicate to the chief justice of the supreme court his desire as to inactive or active retired status.

Section 11. The legislature from time to time shall appropriate sufficient monies out of the general fund of the state treasury to sufficiently provide for the provisions of said Act. The amount paid from the general fund into the Judicial Retirement Fund annually shall not be less than the yearly contributions paid by all members. Sufficient monies are hereby appropriated out of the general fund to provide adequate funds for the operation of said Judicial Retirement Fund for the fiscal year ending September 30, 1974, and for the fiscal year ending September 30, 1975. Should the legislature fail to appropriate monies or sufficient monies for the Judicial Retirement Fund then the contributions from the state out of the general fund to be paid into the Judicial Retirement Fund shall be paid out of monies appropriated to the account designated for salaries of supernumerary justices and judges; provided, however, that such payments shall not adversely affect the amounts paid to any supernumerary justice or judge.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the parts which remain.

Section 13. The provisions of this Act are cumulative and shall not be construed to repeal or supersede any laws not inconsistent herewith.

Section 14. Should there hereafter be created a different or additional state judicial office, which officeholders receive compensation from the state treasury, then the provisions of this Act shall be applicable to such state judicial officeholders; however, if the different or additional office is an appellate position then the provisions applicable to a judge of the court of criminal appeals or court of civil appeals shall be applicable to such different or additional judicial office, and if the different or additional judicial office is a trial position, then the provisions of this Act applicable to a circuit judge shall be applicable to the different or additional judicial position.

Section 15. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Casey	Goodwin	Lang
Adams	Cauthen	Grainger	Lutz
Adwell	Chesnut	Gray (F)	McBride
Agee	Connell	Grey (D)	McCluskey
Bank	Coshatt	Hale	McDonald
Barkett	Cottingham	Hardin	McMillan
Barron	Cross	Headley	McNair
Benton	Downing	Hearn	Mathews
Boles	Drake	Hill	Meeks
Boutwell	Edwards	Hobbie	Merrill
Brassell	Ellis	Hughes	Naramore
Callahan	Falkenburg	Jackson	Nettles
Carnes	Fite	King	O'Daniel
Carter	Flippo	Kinsey	Owens

Parker	St. John	Stokes	Waldrop
Perloff	Slate	Stubbs	Warren
Porter	Smith (K)	Taylor	Williams
Reed (T)	Smith (P)	Therrell	Wise
Reynolds	Snell	Timmons	Wood
Roberts	Stewart	Turner	Wynot

—80

And the bill, H. 1829 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 10.

Yeas:

Messrs.:	Downing	Lang	Roberts
Adams	Drake	Lutz	Robertson
Adwell	Erdreich	McDonald	St. John
Agee	Falkenburg	McMillan	Slate
Bank	Fite	McNair	Snell
Barron	Flippo	Mathews	Stewart
Boles	Goodwin	May	Stokes
Boutwell	Grainger	Meeks	Stubbs
Carnes	Gray (F)	Merrill	Therrell
Casey	Hale	Naramore	Timmons
Cauthen	Headley	O'Daniel	Turner
Chesnut	Hill	Owens	Waldrop
Connell	Hughes	Parker	Williams
Coshatt	Jackson	Porter	Wood
Cottingham	King	Reynolds	Wynot
Crowe			

—60

Nays:

Messrs.:	Carter	McCluskey	Taylor
Benton	Crawford	Nettles	Wise
Brassell	Cross	Smith (P)	

—10

And the bill:

H. 707. (With Amendment): To create and establish a fund for the Board of Corrections to be used by the Commissioner of Corrections in paying certain administrative expenses in the general office and in the prisons and institutions under his supervision.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendments being as follows:

Amend House Bill 707 Section 1 by adding the following in the first line after the word "created"; "from the Board of Corrections General Operating Funds,"

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Messrs.:	Agee	Benton	Brassell
Adams	Barkett	Boles	Burgess
Adwell	Barron	Boutwell	Callahan

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Carnes	Grainger	Meeks	Slate
Carter	Gray (F)	Merrill	Smith (K)
Cauthen	Grey (D)	Mims	Snell
Chesnut	Hale	Naramore	Stewart
Connell	Hardin	Nettles	Stokes
Coshatt	Headley	O'Daniel	Stubbs
Cottingham	Hill	Owens	Therrell
Crawford	Hughes	Parker	Timmons
Cross	Jackson	Perloff	Turner
Crowe	King	Porter	Turnham
Downing	Kinsey	Pruitt	Waldrop
Drake	Lutz	Reed (T)	Warren
Easters	McCluskey	Reynolds	Williams
Edwards	McMillan	Roberts	Wise
Erdreich	McNair	Robertson	Wood
Flippo	Mathews	St. John	Wynot
Goodwin	May		

—77

And the bill, H. 707 as thus amended, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Messrs.:	Crowe	Lutz	Reynolds
Adams	Doss	McCluskey	Roberts
Adwell	Downing	McDonald	Robertson
Agee	Drake	McMillan	St. John
Bank	Easters	McNair	Slate
Barkett	Edwards	Mathews	Smith (K)
Barron	Erdreich	May	Snell
Benton	Flippo	Meeks	Stewart
Boles	Goodwin	Merrill	Stokes
Boutwell	Grainger	Mims	Stubbs
Brassell	Gray (F)	Naramore	Therrell
Callahan	Grey (D)	Nettles	Timmons
Carnes	Hale	O'Daniel	Turner
Carter	Hardin	Owens	Turnham
Cauthen	Headley	Parker	Waldrop
Chesnut	Hill	Perloff	Warren
Connell	Hughes	Porter	Williams
Coshatt	Jackson	Pruitt	Wise
Cottingham	King	Reed (T)	Wood
Crawford	Kinsey	Reid (R)	Wynot
Cross			

—80

And the bill:

H. 710 (With Amendment): To amend Code of Alabama 1958 Re-compiled, Title 45, Section 54, which section pertains to the providing of a convict with clothing and money upon discharge, so as to provide said convict with money for the least expensive mode of public transportation back to the point of sentencing.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendments being as follows:

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Amend House Bill 710, Section 1, Subsection 54 on line 5 by deleting the period and adding the following:

"to be paid from the Board of Corrections General Operating Funds."

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Messrs.:	Downing	Lutz	Reynolds
Adams	Drake	McCluskey	Roberts
Agee	Easters	McDonald	Robertson
Bank	Edwards	McMillan	St. John
Barkett	Erdreich	McNair	Slate
Barron	Falkenburg	Mathews	Smith (K)
Benton	Flippo	May	Snell
Boles	Goodwin	Meeks	Stewart
Boutwell	Grainger	Merrill	Stokes
Brassell	Gray (F)	Mims	Stubbs
Carnes	Grey (D)	Naramore	Therrell
Carter	Hale	Nettles	Timmons
Cauthen	Hardin	O'Daniel	Turner
Chesnut	Headley	Owens	Turnham
Connell	Hill	Parker	Waldrop
Coshatt	Hobbie	Perloff	Wallace
Cottingham	Hughes	Porter	Warren
Crawford	Jackson	Pruitt	Williams
Cross	King	Reed (T)	Wise
Crowe	Kinsey	Reid (R)	Wood
Doss			

—80

And the bill, H. 710 as thus amended, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Doss	King	Reid (R)
Adwell	Downing	Kinsey	Reynolds
Agee	Drake	Lutz	Roberts
Barkett	Easters	McBride	St. John
Barron	Edwards	McCluskey	Snell
Benton	Erdreich	McDonald	Stewart
Boles	Falkenburg	McMillan	Stokes
Boutwell	Fite	McNair	Stubbs
Brassell	Flippo	Mathews	Therrell
Burgess	Goodwin	May	Timmons
Callahan	Grainger	Meeks	Turner
Carnes	Gray (F)	Merrill	Turnham
Carter	Grey (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	Nettles	Wallace
Coshatt	Headley	O'Daniel	Warren
Cottingham	Hill	Owens	Williams
Crawford	Hobbie	Perloff	Wise
Cross	Hughes	Porter	Wood
Crowe	Jackson	Pruitt	

—79

And the bill:

H. 1182. (With Amendments): To authorize the State Department of

Education to establish public kindergarten pilot programs in each of the congressional districts of the state.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Education, said Committee amendment being as follows:

Amend H. B. 1182 by adding the following phrase after the word "districts" in Section 1 and the title "from which State Board of Education members are elected. . . ."

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Crowe	Lutz	St. John
Adams	Doss	McBride	Smith (K)
Adwell	Downing	McCluskey	Smith (P)
Barkett	Drake	McDonald	Stewart
Barron	Easters	McMillan	Stokes
Boles	Edwards	McNair	Stubbs
Boutwell	Ellis	Mathews	Taylor
Brassell	Erdreich	May	Therrell
Callahan	Goodwin	Meeks	Timmons
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Nettles	Turnham
Casey	Gray (D)	O'Daniel	Waggoner
Cauthen	Hale	Owens	Waldrop
Chesnut	Hardin	Perloff	Wallace
Connell	Headley	Porter	Warren
Coshatt	Hughes	Pruitt	Williams
Cottingham	Jackson	Reynolds	Wise
Crawford	King	Roberts	Wood
Cross	Kinsey		

—74

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Education, said Committee amendment being as follows:

Amend H. B. 1182 by striking out Section 2 in its entirety and substituting the following in lieu thereof.

"Section 2. The State Department of Education is authorized to provide for the establishment of such centers and work cooperatively with local boards of education in setting up programs in each center and will provide criteria and funds for employment of personnel, purchasing equipment and supplies and other expenditures which are necessary to carry out the provisions of this Act.

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Agee	Boles	Callahan
Adams	Barkett	Boutwell	Carnes
Adwell	Barron	Brassell	Carter

Casey	Grey (D)	May	Stokes
Chesnut	Hale	Meeks	Stubbs
Coshatt	Hardin	Merrill	Taylor
Cottingham	Headley	Nettles	Therrell
Crawford	Hughes	O'Daniel	Timmons
Cross	Jackson	Owens	Turner
Crowe	King	Perloff	Turnham
Downing	Kinsey	Porter	Waggoner
Easters	Lutz	Pruitt	Waldrop
Edwards	McBride	Reynolds	Warren
Ellis	McCluskey	Roberts	Williams
Erdreich	McDonald	St. John	Wise
Goodwin	McMillan	Smith (K)	Wood
Grainger	McNair	Smith (P)	Wynot
Gray (F)	Mathews	Stewart	

—71

The question was then on the adoption of the amendment #3 reported by the Standing Committee on Education, said Committee amendment being as follows:

Amend H. B. 1182 by substituting Section 3 as follows and renumbering all subsequent sections:

"Section 3. There is hereby appropriated to the State Department of Education from the Alabama Special Educational Trust Fund the amount of \$200,000 for each fiscal year beginning October 1, 1973 for carrying out the purpose of this Act.

And the amendment was adopted.

Yeas 70; Nays 1.

Yeas:

Mr. Speaker	Downing	McBride	Smith (P)
Adams	Easters	McCluskey	Stewart
Adwell	Edwards	McDonald	Stokes
Barkett	Ellis	McMillan	Stubbs
Barron	Erdreich	McNair	Taylor
Boles	Fite	May	Therrell
Boutwell	Goodwin	Meeks	Timmons
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Nettles	Turnham
Carnes	Gray (D)	Owens	Waggoner
Carter	Hale	Perloff	Waldrop
Casey	Hardin	Porter	Wallace
Chesnut	Headley	Pruitt	Warren
Coshatt	Hughes	Reynolds	Williams
Cottingham	Jackson	Roberts	Wise
Crawford	King	St. John	Wood
Cross	Kinsey	Smith (K)	Wynot
Crowe	Lutz		

—70

Nay: Mr. Cauthen.

—1

The question was then on the adoption of the amendment #4 reported by the Standing Committee on Education, said Committee amendmen being as follows:

Amend H. B. 1182 as follows: Change the word "authorizes" in the synopsis to "directs", and change the word "authorize" in the short title to "direct"

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Also change the word "authorized" everywhere it appears in the bill to the word "directed".

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Roberts
Adams	Crowe	Jackson	Robertson
Adwell	Doss	King	St. John
Agee	Downing	Kinsey	Smith (K)
Barkett	Drake	Lutz	Smith (P)
Barron	Easters	McBride	Stewart
Benton	Edwards	McCluskey	Stokes
Boles	Ellis	McDonald	Stubbs
Boutwell	Erdreich	McMillan	Therrell
Brassell	Falkenburg	McNair	Timmons
Callahan	Fite	May	Turner
Carnes	Goodwin	Meeks	Turnham
Carter	Grainger	Merrill	Waggoner
Casey	Gray (F)	Nettles	Waldrop
Cauthen	Grey (D)	Owens	Warren
Chesnut	Hale	Perloff	Wise
Coshatt	Hardin	Porter	Wood
Cottingham	Headley	Pruitt	Wynot
Crawford	Hobbie	Reynolds	

—75

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 1182 by substituting Section 3 as follows and renumbering all subsequent sections:

"Section 3. There is hereby appropriated to the State Dept. of Education from the Alabama Special Education Trust Fund the amount of \$400,000 for each fiscal year beginning October 1, 1973 for carrying out the purpose of this Act."

And the amendment was adopted.

Yeas 72; Nays 2.

Yeas:

Mr. Speaker	Connell	Grey (D)	May
Adams	Coshatt	Hale	Meeks
Agee	Cottingham	Hardin	Merrill
Barkett	Cross	Headley	Nettles
Barron	Doss	Hughes	O'Daniel
Benton	Downing	Jackson	Owens
Boles	Drake	King	Perloff
Boutwell	Easters	Kinsey	Porter
Brassell	Edwards	Lutz	Pruitt
Callahan	Ellis	McBride	Reid (R)
Carnes	Erdreich	McCluskey	Reynolds
Carter	Goodwin	McDonald	Roberts
Casey	Grainger	McMillan	Robertson
Chesnut	Gray (F)	McNair	St. John

Smith (K)	Stubbs	Turnham	Williams
Smith (P)	Therrell	Waggoner	Wise
Stewart	Timmons	Waldrop	Wood
Stokes	Turner	Warren	Wynot

—72

Nays: Messrs. Cauthen and Crowe.

—2

And the bill:

H. 1182. To direct the State Department of Education to establish public kindergarten pilot programs in each of the congressional districts from which State Board of Education members are elected of the state.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 6.

Yeas:

Messrs.:	Drake	Lutz	Robertson
Adams	Easters	McBride	St. John
Agee	Edwards	McDonald	Smith (K)
Barron	Ellis	McMillan	Smith (P)
Benton	Erdreich	McNair	Snell
Boles	Falkenburg	May	Stewart
Boutwell	Fite	Meeks	Stokes
Brassell	Flippo	Merrill	Taylor
Callahan	Goodwin	Mims	Therrell
Carnes	Grainger	Naramore	Timmons
Carter	Gray (F)	Nettles	Turner
Casey	Hale	O'Daniel	Turnham
Chesnut	Hearn	Owens	Waggoner
Coshatt	Hill	Parker	Waldrop
Cottingham	Hobbie	Perloff	Warren
Cross	Hughes	Porter	Williams
Crowe	Jackson	Pruitt	Wise
Doss	King	Reynolds	Wood
Downing	Kinsey	Roberts	Wynot

—75

Nays:

Messrs.:	Cauthen	Crawford	Hardin
Barkett	Connell	Grey (D)	

—6

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Nettles and Stokes, unanimous consent was granted for their names to be added as co-sponsors to the bill, H. 1182.

RESOLUTION

The following resolution was introduced:

By Mr. Connell:

H. J. R. 231. COMMENDING JOHN SCOTT OF THE CAPITOL SECURITY FORCE FOR HIS EXCELLENT ATTITUDE IN THE PERFORMANCE OF HIS DUTIES

WHEREAS, John Scott, a member of the Capitol Security force, has performed his duties as security guard in the lower parking lot with a cheerful smile and friendly wave to everyone who crosses his path; and

WHEREAS, he is an excellent security guard whose daily performance reflects much credit to himself and the State Capitol Security force. He is ever ready to offer a helping hand to anyone who comes within his jurisdiction; and

WHEREAS, John Scott has performed his duties cheerfully in rain, sun, sleet and snow. This big, marvelous, hulking man has brightened many state employees' morning with his cheerful dialogue; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend John Scott for the excellent job which he performs as a Capitol Security guard and for his marvelous outlook on life.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to John Scott.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 231 on the Clerk's desk for one legislative day.

SPECIAL ORDER RESUMED

And the bill:

H. 1220. (With Substitute): To provide for the consent of the spouse of a patient having an abortion.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Health, said Committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

Relating to crimes and criminals; providing for the regulation of abortion and the criteria for determining when it is legal and illegal; providing punishment for illegal abortion; providing for the filing and keeping of records required by this act; providing that participation in performing or effecting an abortion is not mandatory; providing for punishment for violation of the provisions hereof; providing for the care of infants born live following an abortion attempt; repealing Section 9, Title 14, Code of Alabama 1940.

Be It Enacted by the Legislature of Alabama:

Section 1. DEFINITIONS.

Wherever used in this Act the following terms shall have the following respective meanings unless the context clearly indicates otherwise:

(a) "Abortion" means any act, procedure, device or prescription administered to or prescribed for a pregnant woman by any person, including the pregnant woman herself, performed with an intention other than to produce a live birth or to remove a dead fetus, and resulting in the termination of the woman's pregnancy;

(b) "Conception" is the union of the human male sperm and the ovum of the human female resulting in the fertilization or fecundation of the ovum;

(c) "Gestation" means the period of development in the human uterus of the human infant, described as an embryo for the first eight (8) weeks following conception and as a fetus thereafter until its emergence from the mother's womb, the normal gestation period being thirty-eight (38) weeks;

(d) "Hospital" means only those institutions licensed as hospitals by the Alabama Department of Public Health, provided that in addition to such licensing, any institution to be defined and recognized as a hospital for the purposes of this act as qualified for performing abortion shall maintain a department and staff for obstetrics and shall also maintain intensive care facilities, equipment and staff for intensive care and treatment of pregnant women and newborn persons; and adequate emergency care and treatment.

(e) "Physician" means any person licensed to practice medicine in this state as provided for in Chapter 13, Title 46, Code of Alabama 1940, as amended, and who satisfied the staff requirements of the hospital where the abortion is performed, in those cases requiring that it be performed in a hospital, and any other requirements in respect of training or experience which the hospital staff or administration may establish by rule or regulation;

(f) "Pregnancy" means the condition of having a developing embryo or fetus in the uterus after conception;

(g) "Pregnant" is a term used to describe a woman in the state of pregnancy;

(h) "Trimester" means any one of three equal periods or parts of the normal gestation period of the pregnant woman in question derived by dividing such period of gestation in to three equal parts, to be designated as the first trimester, second trimester and the third trimester, respectively;

(i) "Unborn life" means that special form of human life that comes into existence at conception and grows and develops in the womb of the mother during its human gestation period;

(j) "Viability" means the potentiality of the human fetus to be able to live outside the mother's womb even though it may require artificial aid. A fetus is always viable in the third trimester of its gestation period and is capable of being viable at some time during the second trimester of its gestation period;

(k) Where appropriate, the masculine pronoun or adjective shall include the feminine.

Section 2. ABORTIONS; WHEN LEGAL.

Abortion is always a criminal act except when performed under the following circumstances:

(a) During the first trimester of pregnancy, provided it is performed by the pregnant woman's attending physician acting in the exercise of his best clinical judgment that an abortion is necessary and with the informed consent of the pregnant woman that her pregnancy should be terminated; provided further that said abortion shall be performed under circumstances that insure maximum safety to the mother.

(b) During the second trimester of pregnancy, provided it is performed by the pregnant woman's attending physician acting in the exercise of his best clinical judgment that an abortion is necessary and with the informed consent of the pregnant woman that her pregnancy should be terminated, and

(1) It is performed in a hospital;

(2) The attending physician reduces to writing a full and complete medical history of the mother, which history shall include among other facts, the physicians reasons for said abortion and the facts upon which his judgment is based, signs such report, which, together with other patient records and data, shall become part of said patient's hospital record.

(3) The pregnant woman prior to submitting to the abortion certified in writing her consent thereto and if a minor the written consent shall be joined in by her husband if married, or, if unmarried by the parent or person in loco parentis, and such report is filed with the administrator of the hospital where the abortion is performed;

(c) During the third trimester of pregnancy or after the point of earliest established viability, whichever first occurs, provided it is performed by the pregnant woman's attending physician acting in the exercise of his best clinical judgment that an abortion is necessary to preserve the life or health of the mother and with the informed consent of the mother that her pregnancy should be terminated, and

(1) It is performed in a hospital;

(2) The attending physician reduces to writing a full and complete medical history of the mother, which history shall include among other facts, the physician's reasons for said abortion and the facts upon which his judgment is based, signs such report, which, together with other patient records and data, shall become part of said patient's hospital record.

(3) The pregnant woman prior to submitting to the abortion certified in writing her consent thereto and if a minor the written consent shall be joined in by her husband, if married, or, if unmarried by the parent or person in loco parentis, and such report is filed with the administrator of the hospital where the abortion is performed;

Section 3. CRIMINAL ABORTION; PUNISHMENT THEREFOR.

Any person who performs or participates in an act of abortion as defined herein, not permitted by the provisions of Section 2 hereof, is guilty of a felony and, upon conviction thereof, shall be punished by imprisonment in the state penitentiary for not less than one (1) year nor more than ten (10) years and in addition by the payment of a fine of not less than \$1000.00 nor more than \$10,000.00 in the discretion of the court or jury trying the case. If any woman or viable fetus shall die as the result of an act of abortion performed upon the woman other than as permitted by the provisions of Section 2 hereof, the person so procuring, performing or aiding in the performance, or assisting or participating in said abortion, shall, upon conviction, be guilty of murder in the second degree and shall be punished accordingly.

Section 4. RECORDS.

(a) The attending physician of each person for whom an abortion is performed shall place all data pertinent to such abortion with the medical

records of the patient. Said records shall be available as other medical records is provided by law.

(b) The Alabama Department of Public Health shall require monthly reports from hospitals in such form as the Department may determine to assist in recording and tabulating statistical information concerning abortions, provided, however, that in no instance shall the name of the person for whom an abortion is performed appear in such records. The records of the Department shall be public records.

Any person required by the Department to file any report and who fails to file or submit any report or to comply with any of the provisions as required by the Department shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$1,000.00 or by imprisonment for not more than ninety (90) days in the County jail, or by both such fine and imprisonment.

(c) The Alabama Department of Health shall establish a reporting system that will provide the medical and general public with essential information concerning abortions. The Department shall use all available guidelines, including those developed by the American Public Health Association, in providing such statistical information to the public. Reports by the Department shall be issued annually.

Section 5. TREATMENT OF LIVE FETUS AFTER ABORTION.

(a) Any fetus which is live born following an attempted abortion shall be fully recognized as a human person under the laws of this state;

(b) Whenever an abortion procedure results in a live birth, a birth certificate shall be issued certifying the birth of said live born person even though said person may live only a short time; in the event death does ensue after a short time a death certificate shall issue; both the birth and death certificates shall issue pursuant to law and rules and regulations of the State Department of Public Health;

(c) Whenever an abortion procedure results in a live birth, failure to take all reasonable steps, in keeping with good medical practice, to preserve the life and health of the live born person shall subject the responsible party or parties to pertinent Alabama criminal laws and laws governing civil liability for wrongful death and medical malpractice.

Section 6. PARTICIPATION IN ABORTION NOT MANDATORY.

(a) Nothing in this act shall require a person, who shall in writing state an objection to abortion on moral, ethical or religious grounds, to perform or participate in medical or other procedures which result in an abortion. The refusal of any person to perform or participate in such procedures shall not be a basis for damages for such refusal, or for any disciplinary or other recriminatory action against such person.

(b) Nothing in this act shall require a hospital to perform or to permit the performance of an abortion or to provide abortion services. Nor shall any hospital or other health institution be liable for failure or refusal to participate in any such act of abortion or for failure or refusal to admit any patient for the purpose of receiving an abortion. The failure or refusal of any such

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hospital or other health institution or hospital to perform or to permit the performance of abortion permitted hereunder shall not be the basis for any disciplinary or other recriminatory action against said institutions, officers, employees, or individuals.

Section 7. REPEALER. Section 9, Title 14, Code of Alabama 1940, as amended and all other laws or portions of laws in conflict with this act are hereby repealed.

Section 8. SEVERABILITY. If any section, subsection, subdivision, sentence or clause of this act is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such declaration shall not affect the validity of remaining portions of the act.

Section 9. EFFECTIVE DATE. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 64; Nays 0.

Yeas:

Messrs.:	Doss	King	Reid (R)
Agee	Downing	Kinsey	Reynolds
Barkett	Drake	Lutz	Roberts
Barron	Edwards	McBride	Robertson
Benton	Ellis	McCluskey	St. John
Brassell	Erdreich	McCorquodale	Smith (K)
Callahan	Falkenburg	McDonald	Snell
Carnes	Flippo	McMillan	Stokes
Carter	Goodwin	McNair	Taylor
Cauthen	Grainger	May	Therrell
Chesnut	Grey (D)	Meeks	Turner
Collins	Hale	Merrill	Waggoner
Coshatt	Hardin	Nettles	Waldrop
Cottingham	Hill	O'Daniel	Wise
Crawford	Hobbie	Owens	Wood
Cross	Hughes	Perloff	Wynot
Crowe			

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And the bill:

H. 1220. Relating to crimes and criminals; providing for the regulation of abortion and the criteria for determining when it is legal and illegal; providing punishment for illegal abortion; providing for the filing and keeping of records required by this act; providing that participation in performing or effecting an abortion is not mandatory; providing for punishment for violation of the provisions hereof; providing for the care of infants born live following an abortion attempt; repealing Section 9, Title 14, Code of Alabama 1940.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 50; Nays 21.

Yeas:

Messrs.:	Barkett	Brassell	Chesnut
Agee	Barron	Callahan	Coshatt
Bank	Boutwell	Cauthen	Cottingham

Crowe	Hearn	Merrill	Stewart
Downing	Hill	Nettles	Stokes
Drake	Jackson	Owens	Stubbs
Edwards	King	Parker	Therrell
Ellis	Lutz	Perloff	Turner
Erdreich	McBride	Porter	Waggoner
Flippo	McDonald	Pruitt	Waldrop
Grainger	McMillan	Roberts	Wood
Hale	McNair	St. John	Wynot
Headley	Mathews	Snell	

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Nays:

Messrs.:	Connell	McCluskey	Smith (K)
Adams	Crawford	McCorquodale	Taylor
Boles	Cross	Meeks	Turnham
Burgess	Fite	Reynolds	Wallace
Carnes	Goodwin	Robertson	Warren
Carter	Hughes		

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And the bill:

H. 1913. To amend Section 24 of Act No. 3, H. B. 4, 2nd Special Session 1971 (Acts 1971, p. 4104), entitled "To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1972 and September 30, 1973" which section relates to the annual appropriations for the support, maintenance, and development of public education at the University of South Alabama, so as to further regulate the annual appropriation to said University for the fiscal year ending September 30, 1973.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Messrs.:	Cottingham	Hobbie	Parker
Adams	Crawford	Hughes	Porter
Adwell	Cross	Jackson	Reynolds
Agee	Crowe	King	Roberts
Bank	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McCluskey	Smith (K)
Bassett	Edwards	McCorquodale	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stubbs
Boutwell	Falkenburg	McNair	Taylor
Brassell	Flippo	Mathews	Therrell
Callahan	Goodwin	May	Turner
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Merrill	Waggoner
Casey	Hale	Naramore	Waldrop
Chesnut	Hardin	Nettles	Williams
Collins	Headley	O'Daniel	Wood
Connell	Hearn	Owens	Wynot
Coshatt	Hill		

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And the bill:

H. 1070. To provide that a licensee of the Alabama Alcoholic Beverage Control Board shall not be required to give a sales check or receipt show-

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ing the price of the alcoholic beverage(s) consumed by any of its customers, guests or members.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 3.

Yeas:

Messrs.:	Cross	King	Reynolds
Barkett	Doss	Kinsey	Roberts
Barron	Downing	Lutz	Robertson
Benton	Drake	McCluskey	St. John
Boutwell	Easters	McMillan	Smith (P)
Brassell	Ellis	Mathews	Snell
Burgess	Erdreich	May	Stokes
Callahan	Falkenburg	Meeks	Stubbs
Carnes	Flippo	Merrill	Turner
Carter	Goodwin	Nettles	Waggoner
Casey	Gray (F)	Owens	Williams
Chesnut	Hale	Perloff	Wise
Collins	Hill	Porter	Wood
Connell	Hobbie	Reed (T)	Wynot
Coshatt			

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Nays:

Messrs.:	Cauthen	Edwards	Smith (K)
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—3

And the bill:

H. 1072. To amend Section 21, Title 29, Code of Alabama 1940, which relates to sales of liquor by hotel, restaurant or club licensees, so as to remove the provision that hotels, clubs, and restaurants cannot maintain a counter or bar.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 43; Nays 18.

Yeas:

Messrs.:	Coshatt	Lutz	Roberts
Adwell	Cottingham	McBride	Robertson
Barkett	Downing	McDonald	St. John
Barron	Erdreich	McMillan	Snell
Benton	Falkenburg	McNair	Stewart
Boutwell	Gray (F)	May	Stokes
Brassell	Hale	Meeks	Therrell
Callahan	Hill	Nettles	Waggoner
Carnes	Hobbie	O'Daniel	Waldrop
Cauthen	King	Perloff	Williams
Collins	Kinsey	Pruitt	Wood

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Nays:

Messrs.:	Connell	Goodwin	Slate
Adams	Cross	McCluskey	Smith (K)
Burgess	Drake	Owens	Smith (P)
Carter	Edwards	Reid (R)	Turner
Chesnut	Fite	Reynolds	

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REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1723. Relating to taxation; to amend Title 51, Section 2(1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation tobacco leaf stored in hogsheads.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

SPECIAL ORDER RESUMED

And the bill:

H. 1074. To amend Sections 13, 15, 21 and 22 of Title 29, which sections relate to hotel, restaurant and club liquor, beer and wine licenses for sale of such beverages, so as to allow such liquor licensees to sell said beverages for consumption either on or off the premises in which the sale is made.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 44; Nays 20.

Yeas:

Messrs.:	Erdreich	Lutz	Roberts
Barron	Falkenburg	McBride	Robertson
Benton	Flippo	McCluskey	Slate
Boutwell	Grainger	McMillan	Snell
Brassell	Gray (F)	Mathews	Stokes
Callahan	Hale	May	Stubbs
Carnes	Hardin	Meeks	Therrell
Casey	Hearn	Nettles	Waggoner
Collins	Hill	Perloff	Waldrop
Coshatt	King	Porter	Williams
Cottingham	Kinsey	Pruitt	Wood
Downing			

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Nays:

Messrs.:	Connell	Goodwin	St. John
Adams	Crawford	McDonald	Smith (K)
Burgess	Cross	Owens	Stewart
Carter	Edwards	Reid (R)	Turner
Cauthen	Fite	Reynolds	Warren
Chesnut			

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MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Callahan, the rules were suspended in order to bring up out of order the bill, H. 1076.

Yeas 43; Nays 1.

Yeas:

Messrs.:	Coshatt	Kinsey	St. John
Adwell	Cottingham	McBride	Slate
Barkett	Downing	McMillan	Snell
Barron	Easters	McNair	Stokes
Benton	Erdreich	May	Therrell
Boutwell	Falkenburg	Meeks	Turner
Brassell	Gray (F)	Nettles	Waggoner
Callahan	Hardin	Owens	Waldrop
Carnes	Hill	Parker	Williams
Collins	Hobbie	Roberts	Wood
Connell	King	Robertson	Wynot

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Nay: Mr. Lang.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1076. To amend Code of Alabama 1940, Title 29, Section 73, which relates to unlawful sites for liquor stores in certain municipalities classified according to population, so as to change such classification.

Was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 46; Nays 14.

Yeas:

Messrs.:	Downing	Hughes	Robertson
Adwell	Ellis	King	Slate
Barkett	Erdreich	Lutz	Snell
Barron	Falkenburg	McDonald	Stokes
Brassell	Fite	McMillan	Stubbs
Callahan	Flippo	McNair	Therrell
Carnes	Grainger	Meeks	Turner
Casey	Gray (F)	Nettles	Waldrop
Collins	Hardin	Owens	Williams
Coshatt	Headley	Perloff	Wood
Cottingham	Hearn	Porter	Wynot
Crawford	Hill	Roberts	

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Nays:

Messrs.:	Carter	Drake	Smith (K)
Adams	Chesnut	Goodwin	Stewart
Benton	Connell	Reid (R)	Wallace
Burgess	Cross	St. John	

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SPECIAL ORDER RESUMED

And the bill:

H. 445. (With Amendment): To further amend the title and Sections 1, 7, 10 and 16 and to amend Sections 14 and 15, all of Act No. 529, General Laws of Alabama, approved September 2, 1949 (Acts of Alabama, 1949, p. 827 et seq.), which relates to plumbers, plumber examining boards and the performance of plumbing work in all counties having populations of not less than 150,000 according to the most recent federal decennial census.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Business and Labor, said Committee amendment being as follows:

Amend Section 3 by deleting the word and figure five (5) everywhere it appears in said Section and substituting therefor the word and figure three (3)

and

By deleting the word and figure two (2) everywhere it appears in said Section and substituting therefor the word and figure one (1).

And the amendment was adopted.

Yeas 59; Nays 0.

Yeas:

Messrs.:	Edwards	Kinsey	Roberts
Adams	Ellis	Lutz	Robertson
Barkett	Erdreich	McBride	Slate
Barron	Falkenburg	McCluskey	Smith (K)
Bowers	Fite	McDonald	Snell
Brassell	Goodwin	McMillan	Stokes
Callahan	Grainger	McNair	Taylor
Carnes	Gray (F)	Mathews	Therrell
Carter	Grey (D)	May	Turner
Chesnut	Hardin	Meeks	Waggoner
Collins	Hearn	Owens	Waldrop
Coshatt	Hill	Parker	Williams
Cottingham	Hobbie	Porter	Wise
Downing	Hughes	Reid (R)	Wood
Drake	King	Reynolds	Wynot

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Mr. Stokes offered the following amendment to the bill, H. 445 as amended:

Amend H. B. 445 by deleting Section 10 and by substituting in lieu thereof the following:

"Section 10. This Act shall become effective on the first day after the expiration of 180 days following its passage and approval by the Governor or upon its otherwise becoming a law."

And the amendment was adopted.

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Yeas 62; Nays 0.

Yeas:

Messrs.:	Downing	Hobbie	Reynolds
Adams	Drake	Hughes	Roberts
Adwell	Edwards	Jackson	St. John
Bank	Ellis	King	Slate
Barkett	Erdreich	Kinsey	Smith (K)
Barron	Falkenburg	Lang	Snell
Boutwell	Fite	Lutz	Stokes
Brassell	Goodwin	McBride	Stubbs
Callahan	Grainger	McDonald	Therrell
Carnes	Gray (F)	McMillan	Turner
Carter	Grey (D)	McNair	Waggoner
Chesnut	Hale	May	Waldrop
Connell	Hardin	Owens	Warren
Coshatt	Headley	Parker	Wise
Crawford	Hearn	Porter	Wynot
Cross	Hill	Reid (R)	

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MOTION TO POSTPONE

Mr. Taylor offered the motion that the bill, H. 445 as amended, be postponed to the thirty-fourth legislative day.

MOTION TO TABLE LOST

The motion of Mr. Stokes to postpone the motion offered by Mr. Taylor that the bill, H. 445 as amended, be postponed to the thirty-fourth legislative day was lost.

Yeas 12; Nays 38.

Yeas:

Messrs.:	Hill	Perloff	Therrell
Carnes	Meeks	Reid (R)	Waggoner
Downing	Owens	Stokes	Wallace
Flippo			

—12

Nays:

Messrs.:	Crowe	Jackson	St. John
Agee	Drake	King	Slate
Barkett	Easters	Lang	Smith (K)
Barron	Fite	Lutz	Stewart
Benton	Gafford	McBride	Taylor
Boles	Goodwin	McMillan	Wallace
Burgess	Hale	McNair	Wise
Carter	Hearn	Nettles	Wood
Cauthen	Hobbie	Reynolds	Wynot
Cross	Hughes	Roberts	

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

H. 445 POSTPONED

On motion of Mr. Taylor, the bill, H. 445 as amended, was postponed to the thirty-fourth legislative day.

Yeas 32; Nays 14.

Yeas:

Messrs.:	Hearn	McMillan	Slate
Barkett	Hughes	McNair	Smith (K)
Barron	Jackson	Merrill	Stewart
Boles	King	Nettles	Taylor
Cauthen	Lang	Owens	Turner
Cottingham	Lutz	Perloff	Wallace
Crowe	McBride	Roberts	Warren
Gafford	McDonald	St. John	Wood
Hale			

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Nays:

Messrs.:	Carter	Flippo	Stokes
Bowers	Downing	Hill	Therrell
Burgess	Falkenburg	Meeks	Waggoner
Carnes	Fite	Reid (R)	

—14

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Wallace, Drake, Benton and Hughes, unanimous consent was granted for the Journal to show them voting "Nay" on the bill, H. 1076.

And the bill:

H. 256. (With Substitute): To provide that a school teacher or public employee employed by a public school system, the State Board of Education, the State Department of Education, State Senior Colleges and Universities, State Junior Colleges, State Vocational Technical Schools, the Alabama Commission of Higher Education and the Alabama Education Study Commission or any other State educational institution or agency, shall continue to draw his full salary for a certain period when incapacitated as a direct result of an on the job injury; to provide that payment of such benefits shall not exhaust his accumulated sick leave and to authorize standards for carrying out the provisions of this Act.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide that a school teacher or public employee employed by a public school system, the State Board of Education, the State Department of Education, State Senior Colleges and Universities, State Junior Colleges, State Vocational Technical Schools, the Alabama Commission of Higher Education and the Alabama Education Study Commission or any other State educational institution or agency, shall continue to draw his full salary for a certain period when incapacitated as a direct result of an on the job injury; to provide that payment of such benefits shall not exhaust his accumulated sick leave and to authorize standards for carrying out the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Any school teacher or public employee employed by a public school system, the State Board of Education, the State Department of Education, State Senior Colleges and Universities, State Junior Colleges, State Vocational Technical Schools, the Alabama Commission of Higher Education, the Alabama Education Study Commission or any other State educational institution or agency, shall continue to draw his full salary for a period not to exceed two years when incapacitated as a direct result of an on the job injury. Payment of such benefits shall not exhaust the accumulated sick leave of such teacher or employee.

Section 2. Such teacher or employee shall furnish to his employer a medical certificate from a licensed physician certifying that he is unable to perform and carry on his normal duties. If the employer is not satisfied with the certificate so furnished it may within ten days after it is furnished such certificate require the teacher or employee to submit to a medical examination by a physician of its choice, the expense of which must be paid by the employer. Any teacher or employee aggrieved by the decision of the employer on his application for benefits due under this Act may within 90 days appeal to the circuit court of the county of the place of his employment. The case shall be tried de novo.

Section 3. All laws or parts of laws in conflict herewith are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 65; Nays 0.

Yeas:

Messrs.:	Benton	Carnes	Cottingham
Adams	Boles	Carter	Crawford
Agee	Boutwell	Chesnut	Cross
Barkett	Bowers	Collins	Crowe
Barron	Brassell	Connell	Downing

Drake	Jackson	Owens	Stokes
Easters	King	Parker	Taylor
Ellis	Kinsey	Porter	Therrell
Erdreich	Lang	Reed (T)	Turner
Fite	Lutz	Reid (R)	Turnham
Goodwin	McCluskey	Reynolds	Waldrop
Grainger	McMillan	Roberts	Wallace
Gray (F)	Mathews	Robertson	Warren
Grey (D)	May	St. John	Wise
Hill	Meeks	Slate	Wood
Hobbie	Nettles	Stewart	Wynot
Hughes			

—65

And the bill, H. 256 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Messrs.:	Crawford	Jackson	Robertson
Adams	Cross	King	St. John
Agee	Crowe	Kinsey	Slate
Barkett	Downing	Lang	Snell
Barron	Drake	Lutz	Stewart
Benton	Easters	McBride	Stokes
Boles	Ellis	McCluskey	Stubbs
Boutwell	Erdreich	McMillan	Taylor
Bowers	Fite	Mathews	Therrell
Brassell	Flippo	May	Turner
Burgess	Goodwin	Meeks	Turnham
Callahan	Grainger	O'Daniel	Waggoner
Carnes	Gray (F)	Owens	Waldrop
Carter	Grey (D)	Parker	Wallace
Casey	Headley	Porter	Warren
Chesnut	Hearn	Reed (T)	Williams
Collins	Hill	Reid (R)	Wise
Connell	Hobbie	Reynolds	Wood
Cottingham	Hughes	Roberts	Wynot

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UNANIMOUS CONSENT GRANTED

At the request of Mr. Burgess, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 256.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1725. Relating to counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census; to authorize the governing body of any such county to provide an expense allowance to the members of the county board of education.

Also:

H. 1371. To provide an additional expense allowance for the chairman and members of the County Commission of all counties having a population

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of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census.

Also:

H. 1841. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Cleburne County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Cleburne County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

Also:

H. 1870. To amend Section 1 of Act No. 114, H. 333, Regular Session 1967, (Acts 1967, p. 452), which relates to providing compensation and allowances of members of the Cleburne County governing body; so as to increase the monthly expense allowance of such body.

Also:

H. 1487. Relating to the twenty-seventh judicial circuit of Alabama, providing for two assistant district attorneys and for county supplement to the existing salary of the district attorney of said judicial circuit.

Also:

H. 1834. To provide for the creation of public corporations in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, as political subdivisions of such counties by initiation of city and county governments within such counties to acquire, enlarge, improve, expand, own, operate, lease and dispose of properties to the end that such corporations may be able to enhance the public health and welfare of said counties by providing for the disposal of solid wastes generated through sanitary landfills and other approved methods of disposal, to authorize the fixing and collection of charges and other fees for services rendered, to establish the procedure for incorporation through initiation of two or more participating governing bodies within such counties, to provide for the contents of the Certificate of Incorporation and to require approval thereof by the participating governing bodies, to provide for filing and approval of the Certificate of Incorporation by and with the judge of probate of such counties wherein the participating governing bodies function, to provide for the method of amending the Certificate of Incorporation, to provide for the government and management of the corporation through a Board of Directors, with designation of terms of office and providing for successor directors and allowing for officers and employees of the participating entities or governing bodies to serve as such, and to require no compensation for such directors except for reimbursement of actual expenses, to provide for the powers of the corporation, to exempt the corporation from usury laws and from taxation, to allow for investment of municipal and county funds in the obligations of the corporation, and to authorize appropriation of funds

and conveyance of properties of participating entities to the corporation with or without compensation, to declare non-liability of participating entities for the obligations of the corporation, and to deny such as debts of such entities, to provide for the means of dissolution of the corporation, to exempt the corporation from payment of any taxes for the recording of documents with said judges of probate, to provide that the powers granted the corporation are cumulative and to express the non-limitation of powers of other state and governmental subdivisions, to provide for the severability of the provisions of the Act, and for its effective date, and to definitions and legislative interest.

Also:

H. 1555. To create an Industrial Development Authority for Tuscaloosa County for the purpose of promoting industry and trade and the development of said county; to provide for the organization, powers, functions, duties and personnel of such Authority and to provide for the payment of the expenses of such Authority and for the compensation of its employees.

Also:

H. 1900. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Also:

H. 1152. To impose a twenty per cent (20%) tax on all alcoholic beverages purchased from the Alcoholic Beverage Control Board for the purpose of resale outside the police jurisdiction of any incorporated municipality located in any county having a population of not less than 60,000 nor more than 65,000.

Also:

H. 1521. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended, "An Act fixing the compensation of the deputy solicitor of Chambers County."

Also:

H. 1788. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing for the compensation of members of the jury commission in such counties.

Also:

H. 1790. Relating to counties having populations of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Also:

H. 1791. Relating to the boards of education in counties having populations of not less than 14,000 nor more than 15,000, according to the most recent federal decennial census, providing an expense allowance for the superintendents of such boards, and providing daily compensation for members of such boards when such boards meet officially to transact business.

Also:

H. 1882. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing an additional expense allowance for county superintendents of education.

Also:

H. 1789. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing additional clerk hire allowances for the office of the probate judge, tax assessor, tax collector and circuit clerk in such counties.

Also:

H. 1787. To provide expense allowances for members of the county commission of all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census.

Also:

H. 1799. To repeal Section 11 of Act No. 25, H. 18, 1959 First Special Session, (1959 Acts, p. 54) entitled, "An Act Relating to Lawrence County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and other conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so as to eliminate the termination date of said tax and thereby make the tax levied in said Act permanent.

Also:

H. 1786. Relating to all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Also:

H. 1704. To authorize the Coosa County Commission to levy additional tax on persons, firms, and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County.

Also:

H. 1892. To amend Section 5 of Act No. 315, H. 390, 1971 Third Special Session (Acts of 1971, Vol. 5, Pages 4605, 4606) entitled, "An Act Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of Warrant Clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation."

Also:

H. 1875. To authorize the Autauga County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 1862. Relating to all counties having a population of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Also:

H. 1863. Relating to Macon County; to regulate the salary and appointment of the jailers employed by the Sheriff.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1732. To amend Section 6 of Act Number 1205, H. 1451, page 2246, Regular Session of the Legislature of Alabama 1969, approved September 13, 1969, entitled "An Act relating to Houston County providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws".

Also:

H. 1684. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Also:

H. 1880. To authorize the Etowah County Commission to provide for the relief of Mrs. Carolyn D. Thomas, widow of Deward W. Thomas, an employee of the county until his accidental death on February 16, 1972.

Also:

H. 1845. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to impose certain additional privilege or license taxes upon the sale of malt or brewed beverages in certain areas of said counties, and to provide for the collection and distribution of said taxes.

Also:

H. 1747. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Sixteenth Judicial Circuit of Alabama.

Also:

H. 1730. Relating to Counties having a population of not less than 90,000 nor more than 100,000 according to the most recent or any subsequent Federal Decennial Census; to provide for the Clerk of Circuit Court in such Counties to collect Commission on Judgments, except on Garnishments, where the Judgments are collected by said Clerk after Ninety (90) days from the date of rendition.

Also:

H. 1746. To provide that a judge, or former judge, of the County Court of counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census may elect to become a supernumerary judge of said court under certain conditions; to provide for the duties, authority and compensation of any such supernumerary judge.

Also:

H. 1801. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

Also:

H. 1803. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

Also:

H. 1809. To amend Act No. 386, H. 960, Regular Session 1969 (Acts 1969, Regular Session, p. 794) so as to increase the compensation of the Judge of the Inferior Court of Geneva County.

Also:

H. 1807. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Also:

H. 892. To amend Section 3 of Act No. 530, H. 1096, Regular Session 1959 (Acts 1959, p. 1305), so as to further provide for voter reidentification in all counties in the state having a population of 500,000 or more according to the last or any subsequent federal census.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1715. To amend Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), which act provides for expense allowance for board of education members in Bibb County, so as to provide further for such expense allowance.

Also:

H. 1709. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Bibb County.

Also:

H. 1710. To alter, rearrange and extend the boundary lines and corporate limits of the City of Centreville, in Bibb County, Alabama.

Also:

H. 1711. Relating to Bibb County, to authorize the jury commission to meet an additional 15 work days per year.

Also:

H. 1712. Relating to Bibb County; to provide that no claim presented to the Bibb County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Also:

H. 1716. Relating to Bibb County, to amend Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, p. 2327), which act provides for election of the members of the governing body of such county, so as to provide further for the monthly expense allowance of said members.

Also:

H. 1714. To change the method of compensating the probate judge, the circuit clerk, the register, the tax assessor and the tax collector of Bibb County, placing said officials on a salary basis; to provide that the fees, com-

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missions and allowances provided such officials under the general law shall be paid into the county treasury; and providing for a clerk hire allowance for each of said officials.

Also:

H. 1713. To alter, rearrange and extend the boundary lines and corporate limits of the City of Brent, in Bibb County.

Also:

H. 1433. To allow the county commission of any county having a population of not less than 10,900 nor more than 11,500, according to the last or any subsequent federal decennial census to set the number and salary of employees in the office of the circuit clerk and register in chancery.

Also:

H. 1431. Proposing an amendment to the Constitution of Alabama relating to court costs and charges and to the compensation of certain officers of Cleburne County.

Also:

H. 1427. To provide for purging the lists of registered voters in Cleburne County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Also:

H. 1428. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax collector's office; and to establish the salaries of the above mentioned assistants.

Also:

H. 1429. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax assessor's office; and to establish the salaries of the above mentioned assistants.

Also:

H. 1439. Relating to Cleburne County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1437. To provide for purging the lists of registered voters in Randolph County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Also:

H. 1438. Relating to Randolph County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 1707. Relating to Bibb County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

H. 1708. To authorize the Bibb County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 1705. Relating to Bibb County, providing further for the compensation of the members of the governing body of said county.

Also:

H. 932. Relating to all counties having a population of not less than 50,000 nor more than 52,500, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Also:

H. 1353. To establish, in Cullman County, a clerk of the intermediate court, to provide for a deputy clerk and assistant clerks in such office, to provide for salaries of such clerks and to provide for equipment and other necessary expenses for such office.

Also:

H. 1354. To authorize the governing body of Cullman County to provide for all help and equipment in the offices of the several officers in that county.

Also:

H. 1355. To authorize the county governing body of Cullman County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Also:

H. 1412. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman in Cullman County.

Also:

H. 1742. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

Also:

H. 1842. To revise and re-enact Act No. 1504, S. 1103, Regular Session 1971, (Acts 1971, page 2589, Vol. IV), entitled "Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1820. To fix the supplemental salaries of circuit judges in the Twenty-Third Judicial Circuit.

Also:

H. 1821. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in the Twenty-Third Judicial Circuit.

Also:

H. 1822. Relating to counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; To amend Title 11, Section 81, Code of Alabama 1940 as recompiled in 1958; to provide for collection of fees in certain misdemeanor cases where defendant pleads guilty.

Also:

H. 1310. Relating to all counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, exempting volunteer fire departments from the operation of the state sales and use taxes.

Also:

H. 1806. To provide that any city of the state having a population of not less than 6,728 and not more than 6,834 according to the most recent

federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

Also:

H. 1859. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Perry County.

Also:

H. 1904. Creating the office of Assistant District Attorney in the Thirty-seventh Judicial Circuit; and providing for his appointment, duties and compensation.

Also:

H. 1597. To create the office of commissioner of licenses in counties in Alabama having a population of not less than 54,500 and not more than 56,000 according to the last and any subsequent decennial federal census; to provide for a more convenient and efficient method for the issuance of all licenses except marriage licenses; to prescribe the powers, duties, and authority of the commissioner of licenses; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Also:

H. 1910. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to further provide for the classification of certain lunchroom employees of boards of education of such counties.

Also:

H. 1743. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, authorizing the governing bodies to pay all fees, dues and related expenses of membership in any professional organization to which the tax assessors, tax collectors, probate judges and license commissioners of such counties may belong.

Also:

H. 1739. To amend Act No. 30, Second Special Session 1971 (Acts 1971, p. 4163), which act relates to the appointment of a probate court clerk

in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, so as to provide further for the compensation of said clerks within such counties.

Also:

H. 1911. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to provide that any county employee who has become a member and participates in the State Employees' Retirement System shall be allowed prior service credit for any time served as an employee of the State of Alabama prior to such membership.

Also:

H. 1626. To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973 if approved by a referendum vote of the populace.

Also:

H. 1846. Relating to the 30th judicial circuit, allocating the state appropriation for deputy district attorney.

Also:

H. 1826. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Also:

H. 1486. Relating to the twenty-seventh judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for an additional secretarial assistant for the office of district attorney of said judicial circuit.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1916. To establish a Salary Commission for the employees of the office of the Clerk of the Circuit Court of Marshall County and of the office of the Register of the Circuit Court of Marshall County, to provide for the membership of such Salary Commission, to define its powers and duties, and to define the duties of the Clerk of the Circuit Court of Marshall County and of the Register of the Circuit Court of Marshall County with reference to such Commission, and the duties of the Marshall County Commission with reference to such Salary Commission.

Also:

H. 1362. Applying to Cullman County; to increase the expense allowance of certain county officers.

Also:

H. 1485. Relating to the twenty-seventh judicial circuit; to provide for an expense allowance of \$3,600.00 per year to the district attorney of said judicial circuit to be supplemented by any county located in said district, in addition to any regular compensation.

Also:

H. 1836. To fix the salary for the County Solicitor (Deputy District Attorney) of Geneva County.

Also:

H. 1828. To prohibit, in any county having a population of 600,000 or more according to the most recent federal decennial census, the occupancy of any building or structure any part of which is situated upon real property which abuts or joins that part of a street, alley, public way or right of way within which is situated pipes or mains of an approved public water supply system and which is not directly connected to water mains or pipes of an approved public water supply system; and to prohibit, in such counties, the sale or distribution of insanitary, impure or unwholesome water.

Also:

H. 1901. Relating to all counties having populations of not less than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt, or brewed beverages are now sold.

Also:

H. 401. To amend Act No. 880, H. 675 of the Regular Session of 1965 which applies in all counties having populations of 60,000 or more according to the 1960 federal decennial census and special courts where probation services for juvenile delinquents is not now provided by the Department of Pensions and Security and regulates the expenditure of state and county funds to pay for the cost of the salaries of juvenile court probation officers in such counties, and makes an appropriation therefor, amending such Act so as to make such Act apply to counties having populations of 59,000 or more according to the most recent federal decennial census.

Also:

H. 411. To fix the salary of the Tax Assessor of Mobile County and to regulate the payment thereof.

Also:

H. 273. To amend Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama 1955 p. 356) Entitled "An Act To Fix the salary of the tax

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collector of Mobile County, and to regulate the payment thereof," and to repeal conflicting laws.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1860. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, providing for an additional expense allowance for members and chairman of the governing bodies of such counties.

Also:

H. 742. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Also:

H. 744. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Also:

H. 773. To authorize county and municipal governments of counties with a population of more than 600,000 to enter into contract providing for the Sheriff to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a contract police agreement to pay over to the county treasury monies sufficient to reimburse the county treasurer for expenditures necessary to provide contract policing.

Also:

H. 855. To further amend Act No. 768, H. 566, Regular Session 1967, (Acts 1967, p. 1624) which relates to compensation of election officers in counties which have a population in excess of 500,000, according to the most recent federal decennial census, by awarding additional compensation to any person acting as chief inspector, assistant chief inspector, or clerk.

Also:

H. 1047. To increase the Director's fees of Boards operating public utility corporations in municipalities having a population of not less than 5,070, nor more than 5,150.

Also:

H. 1514. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966 (Ala. Acts, Special Session of 1966, p. 106 et seq.), as heretofore amended, providing in Jefferson County for the creation and maintenance of districts for fighting or prevent-

ing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1615. To apply to all counties having populations of 500,000 or more inhabitants according to the last or any subsequent federal decennial census; to provide and require that in the condemnation of lands for ways and rights of ways for sewer lines and water lines the value of any enhancement to the remaining lands of such owner or owners that such sewer line or water line may cause shall be applied to reduce or off-set the value of any land or right-of-way taken or damages to the remainder for the construction of such sewer line or water line.

Also:

H. 1621. To grant to any Civic Center Authority now or hereafter incorporated in any County having a population of more than 500,000, according to the last or any subsequent Federal census, organized under the provisions of Act No. 547, enacted by the Legislature of Alabama at its 1965 Regular Session and approved August 20, 1965 (Acts of 1965, pp. 797, et seq.) as amended, the power and authority to borrow money, to issue as evidence of its obligation to repay such money, its negotiable promissory notes and to provide the security for such notes and the refunding thereof by the issuance of notes or bonds.

Also:

H. 1780. To amend Section 2 of Act No. 965, H. 1396, Regular Session 1969 (Acts 1969, p. 1710) which provides for the salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any succeeding federal census; so as to further provide for such salary.

Also:

H. 1868. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended) in any municipality located (in whole or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction of otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or personal or both) designed or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

Also:

H. 1886. To provide for the appointment by the Deputy District Attorney for the Bessemer Division of Jefferson County of an Assistant Deputy

District Attorney to prosecute cases in the County Court for the Bessemer Division of Jefferson County and to provide the compensation of said Assistant Deputy District Attorney and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Also:

H. 1824. To amend Sections 5.01, 5.02, and 5.10 of Act No. 452 of the 1955 Regular Session of the Legislature of Alabama (Acts of Alabama 1955, page 1004, et seq.), entitled, as amended: "To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 300,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1819. To create two additional positions of Assistant District Attorney for the Twenty-third Judicial Circuit of Alabama. Applicable to the Twenty-third Judicial Circuit; to allow the appointment of two additional Assistant District Attorneys.

Also:

H. 1522. To establish an intermediate court in Madison County, Alabama, in lieu of all other intermediate or inferior courts created in lieu of justices of the peace heretofore created in said County, said court to be called the General Sessions Court of Madison County; to define the jurisdiction and

powers of said Court and the officers thereof; to provide for the election or appointment of the Judges, Clerk, and other officers of said court; to fix the terms or tenure of office of the officers of said court and provide for their salaries and compensation and the methods of payment of same; to designate the officials to serve processes issued by said court, and define their duties and the duties of other officials with respect to said court; and, to otherwise provide for said court.

Also:

H. 996. To further amend Title 13, Section 187, Code of Alabama 1940, as amended, which provides for the appointment, compensation and duties of circuit court bailiffs, so as to provide for counties having a population of not less than 175,000 and not more than 300,000, according to the most recent federal decennial census, with three or more circuit judges, to increase the compensation of bailiffs without a law degree and to establish a rate of compensation for bailiffs with law degrees.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1556. To amend further Act No. 56, H. 285, Regular Session, 1953 (Acts 1953, p. 76), as heretofore amended, an Act levying additional privilege and license taxes in Tuscaloosa County; so as to redefine terms relating to hospital boards and to prescribe the manner of determining the distribution of the proceeds of the tax allocated for hospital purposes.

Also:

H. 1445. To amend Section 8 of Act No. 25, H. 18, Second Special Session 1971 (1971 Acts, p. 4151), an act creating and establishing an Inferior Court in Dale County, Alabama, so as to provide further for certain fees and costs of court.

Also:

H. 1654. To alter, rearrange and extend the boundary lines of the town of Woodville, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Also:

H. 1779. Relating to all counties having a population of not less than 38,100 nor more than 40,500, according to the most recent federal decennial census; authorizing and providing for the establishment, maintenance, operation, control and financing of a public law library for the county.

Also:

H. 1888. To require that all district attorney's fees taxed and collected in all reciprocal support cases in the Twenty-Third Judicial Circuit shall be paid into the District Attorney's Fund of the county composing such circuit.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

H. J. R. 176. ESTABLISHING A STATE "LIVE IN A LAND-MARK COUNCIL.

S. J. R. 32. NAMING CERTAIN ROADS AND HIGHWAYS IN TUSCALOOSA AND JEFFERSON COUNTIES "THE TANNEHILL TRAIL".

H. J. R. 216. DESIGNATING MR. BOB CAIN AND THE CANE-BREAKERS AS THE OFFICIAL BAND OF THE 1973 ALABAMA LEGISLATURE.

And the resolutions were adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 187. PROCLAIMING NOVEMBER 1, 1973, "FRANK PARK SAMFORD DAY".

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 796. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employ-

ees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 796, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 796, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. O'Bannon, McLain, Fine, Givhan, Pelham, Wilson, Horne, Weaver, Dozier, Lybrand, Lindsey, Melton, Gilmore, Noonan, King, Shelby, Pierce, Jones, Cook, Bailes, Edington, Wilder, Baker and Malone:

S. 214. To propose an amendment to the Constitution of Alabama with respect to Article VI thereof which creates the Judicial Department of the State and prescribes the powers, duties and functions of all courts and the powers, duties, functions and qualifications of all judicial, prosecuting, and administrative officers; and for the repeal of Article VI of the Constitution of Alabama of 1901 as amended, and amendments 317 and 323 thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate bill, S. 214, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Constitution and Elections.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Clark:

S. 823. To authorize the governing body of Barbour County to provide for the relief of Evelyn Herring for the damage to her automobile due to a defective county road.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA
COUNTY OF BARBOUR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the governing body of Barbour County to provide for the relief of Evelyn Herring for the damage to her automobile due to a defective county road.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Barbour County is authorized and empowered to appropriate from the general funds of the county an amount up to \$850.00 to compensate Evelyn Herring for damages to her automobile sustained due to a defective county road: there being no recourse at law to recover the same and the county being morally obligated to provide for such compensation.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of the Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and Aug. 2, all in the year 1973.

JOEL P. SMITH.

Sworn to and subscribed before me August 7, 1973.

LAWSON C. KIRKLAND, JR.,
Notary Public.

Also:

By Mr. Clark:

S. 799. To give statutory recognition to the condominium form of ownership of real property in Barbour County and prescribe regulations therefor.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its enactment will be made, to-wit:

The bill will give statutory recognition to the condominium form of ownership of real property in Barbour County and prescribe regulations therefor.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28, July 5, July 12, and July 19, all in the year 1973.

JOEL P. SMITH.

Sworn to and subscribed before me August 1, 1973.

FRANCES T. RABREN,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 823. Local Legislation No. 1.
- S. 799. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Bailes:

S. 860. To provide that all former Governors of the State of Alabama who shall have been partially or totally disabled while serving in that office shall receive monthly retirement pay out of the general fund in the state treasury.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 860. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Weaver:

S. 145. To amend Title 52, Section 351, Code of Alabama, 1940, as amended, to provide that certificated employees of the Alabama Institute for Deaf and Blind, Alabama Industrial School for Boys, Alabama Industrial School for Girls, and Alabama Industrial School at Mt. Meigs shall be defined as teachers and shall be covered under the Alabama Teacher Tenure Law.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 145. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Wilson:

S. 876. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal

decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 876. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Pierce:

S. 528. To validate moral obligations, not exceeding five hundred dollars (\$500.00) in amount, paid by the Alabama Industrial School for Negro Children for motor vehicle accidents involving employees during the period October 1, 1966 through September 30, 1968.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 528. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 851. To make a conditional appropriation to the Special Mental Health Fund from the State General Fund for each of the two fiscal years ending September 30, 1974, and September 30, 1975.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 851. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. McLain:

S. 756. Relating to taxation; to amend Title 51, Section 2 (1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation tobacco leaf stored in hogsheads.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 756. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Cook:

S. 890. Relating to counties having a population of 600,000 or more inhabitants according to the most recent Federal decennial census; providing for the establishment of a county compensation commission and to provide for the make up of the commission and to subscribe the duties of the commission.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 890. Local Legislation No. 2.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Littleton:

S. 47. To amend Section 366 of the Title 52 of the Code of Alabama as amended which relates to the Teachers' Retirement System of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 47. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Mr. Bailes:

S. 1. To establish a state ethics commission and to provide a state ethics law which requires that certain statements of economic interest be filed by public officials and which prohibits certain practices by public officials which conflict with a proper safeguarding of the public trust. Violations thereof shall be considered a felony. Also relating to the activities, registration, and reporting requirements of persons engaged in activities designed to influence legislation.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 1. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Pelham, Lybrand and Harris:

S. 707. To further regulate the procedure for keeping a record of certain non-consumable personal property owned by the State.

Also:

By Messrs. Pelham, Lybrand and Harris:

S. 709. To provide that any legislative proposal affecting the Teachers' Retirement System of Alabama or the Employees' Retirement System of Alabama be accompanied by an actuarial estimate of all future contributions required of the State or members of the Retirement Systems.

Also:

By Messrs. Pelham, Lybrand and Harris:

S. 716. To provide for service for writs of garnishment and all notices and orders issued pursuant thereto by the Department of Revenue by agents

or employees of the Department of Revenue designated in writing by the Commissioner of Revenue.

Also:

By Messrs. Pelham, Lybrand and Harris:

S. 710. To authorize the Commissioner of Revenue to require a surety bond from all taxpayers liable for the payment of use tax, penalties and interest levied by the provisions of Article 11, Sections 787 through 811 (4), Title 51, as amended, Code of Alabama 1940, for the purpose of securing the payment of any use tax, penalties or interest due or which may become due under the provisions of Article 11, and to provide that any person, firm or corporation who shall fail to file a surety bond after being notified to do so or who shall violate any of the provisions of said Article 11 may be restrained from continuing in business in this state.

Also:

By Messrs. Pelham, Lybrand and Harris:

S. 774. To create the Minerals Resource Management Committee; to provide for its membership, duties and responsibilities

Also:

By Messrs. Pelham, Lybrand and Harris:

S. 708. To amend Section 22 of Act No. 100, Second Special Session 1959, as amended, so as to authorize the Commissioner of Revenue to require a bond from applicants for a sales tax license for the purpose of securing the payment of any sales tax, penalties or interest due or which may become due under the provisions of said Act No. 100.

Also:

By Messrs. Pelham, Lybrand and Harris:

S. 721. To provide for the purchase of materials, equipment, supplies or other personal property from the United States Government or any of its agencies without receiving competitive bids on such purchases.

Also:

By Messrs. Pelham, Lybrand and Harris:

S. 725. To create the Office of Space Management in the Department of Finance, to prescribe its powers, duties, and responsibilities, to authorize the hiring of a director and staff, and to provide for the compensation of such employees, and to make an appropriation.

Also:

By Messrs. Pelham, Lybrand and Harris:

S. 717. To create a Data Systems Management Division within the Finance Department, to provide its powers, duties, and authority, to authorize the employment of a Director of such division and additional employees and to provide for their compensation, to create an Advisory Committee and its composition, and to make an appropriation.

Also:

By Messrs. Pelham, Lybrand and Harris:

S. 712. To create the position of Manager of Printing and Publications in the Department of Finance, to provide for the functions, duties, and responsibilities of this position, to provide for the employment of a manager and additional employees and their compensation, and to make an appropriation.

Also:

By Messrs. Pelham, Lybrand and Harris:

S. 724. To amend further Section 74 of Title 36, Code of Alabama, (1940) as amended, so as to increase the fee for a duplicate driver's license to \$1.50.

Also:

By Mr. Pelham:

S. 723. To amend further Section 64 of Title 36, Code of Alabama, (1940), as amended, so as to increase the fee for learner's permits to fifty cents.

Also:

By Messrs. Pelham, Lybrand and Harris:

S. 718. To amend Section 9 of Act No. 341, H. 26, Regular Session 1949 (Acts 1945, p. 554), which pertains to the Department of Conservation and Natural Resources' powers and duties with respect to lands owned by the State of Alabama, so as to provide that the maximum amount charged by said Department for administering, managing, protecting or developing state owned land will be raised from five percent (5%) of the gross income derived from said land to seven and one-half percent (7½ %).

Also:

By Messrs. Pelham, Lybrand and Harris:

S. 711. To amend Section 708, Title 51, Code of Alabama 1940, by increasing the payment for replacement motor vehicle license plates to three dollars, one dollar to be retained by the license inspector or the probate judge and two dollars to be remitted to the department of revenue.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate were severally read one time and referred to appropriate Standing Committees as follows:

- S. 707. Ways and Means.
- S. 709. Ways and Means.
- S. 716. Ways and Means.
- S. 710. Ways and Means.

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- S. 774. Ways and Means.
- S. 708. Ways and Means.
- S. 721. Ways and Means.
- S. 725. Ways and Means.
- S. 717. Ways and Means.
- S. 712. Ways and Means.
- S. 724. Ways and Means.
- S. 723. Ways and Means.
- S. 718. Ways and Means.
- S. 711. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Noonan and Pelham:

S. 658. To authorize the Governor on behalf of the State of Alabama to seek appointment of a referee by the U.S. Congress, for the purpose of executing a compact with the State of Mississippi. This compact to be for the purpose of promoting the development of a Deep Draft Harbor and Terminal to be located on the continental shelf of the United States, in the Gulf of Mexico.

Also:

By Messrs. Noonan, Pelham and Edington:

S. 642. To create, establish and empower The Ameraport Offshore Harbor and Terminal Commission, pending the approval of a bistate compact involving the participation of the States of Alabama and Mississippi, in the development of an offshore deep draft harbor and terminal for the purpose of loading and unloading cargoes of energy, in particular, petroleum of all kinds.

Also:

By Mr. Noonan:

S. 515. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940." by adding pipeline companies to the corporations included in said Section 88.

Also:

By Mr. Noonan:

S. 516. To amend Sections 71, 75, 76 and 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain

by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 658. Commerce and Transportation.
- S. 642. Commerce and Transportation.
- S. 515. Commerce and Transportation.
- S. 516. Commerce and Transportation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Pelham, Lybrand and Harris:

S. 720. To require annual audits by licensed certified public accountants or licensed certified public accounting firms of banks and; to require reports of such audits to be made to the State Superintendent of Banks; to authorize the State Superintendent of Banks to prescribe form and content of such audits and reports; and to prescribe penalties.

By Mr. Wilson:

S. 223. To provide an expense allowance for the members of the State Board of Education in addition to certain expenses incurred in attending meetings and transacting business of the board and providing that provisions of Act No. 470, S. 182, Regular Session 1969 (Acts 1969, p. 912) shall not be applicable to the members of said boards.

By Messrs. Foshee and Littleton:

S. 527. To apply in all counties having less than 600,000 population according to the last or any subsequent federal census. To provide for the keeping of records by junk dealers and scrap metal processors of the purchases of copper wire subject to inspection by sheriffs and state law enforcement officers, and to provide a penalty for the violation thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 720. Ways and Means.
- S. 223. Ways and Means.
- S. 527. Commerce and Transportation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Vacca:

S. 86. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Department of Education to establish a special fund to be designated as the "Driver Education and Training Fund" for the express purpose of instituting and conducting a program of preclicensing driver education and training.

Also:

By Mr. Pierce:

S. 393. To amend Title 13, Section 255, Code of Alabama, 1940, as amended, relating to the appointment of deputy district attorneys for the Fifteenth and Twenty-sixth Judicial Circuits of Alabama, and their salaries.

Also:

By Messrs. Littleton and Fine:

S. 847. To amend Sections 2, 3, 5, 6, 7, 8 and 10 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, and to repeal Section 4 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, said Act creating the Board of Nursing, relating to Nursing and the practice of Nursing, qualifications of nurses, fees and charges for services of the Board of Nursing, the discipling of licensees and fixing penalties for violation of said Act.

Also:

By Messrs. Baker, Foshee, Wilder, Bailes and Fine:

S. 147. To further provide for the re-examination of applicants taking the Alabama Bar Exam for admission to practice law and to repeal all laws, parts of laws, rules, regulations, and other requirements in conflict with this act.

Also:

By Mr. O'Bannon:

S. 579. To authorize the governing bodies of the several counties of the State to pay all expenses incurred by the Tax Assessors, Tax Collectors, Circuit Clerks and Registers or other like official by membership in their State organization.

Also:

By Mr. Pelham:

S. 337. To provide for the sale to the Alcoholic Beverage Control Board of certain confiscated liquors and beverages; and to provide for the disposition of funds accruing there from.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 86. Highway Safety.
- S. 393. Judiciary.
- S. 847. Health.
- S. 147. State Administration.
- S. 579. Local Government.
- S. 337. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Pelham:

S. 336. To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices and positions; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

- S. 336. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

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By Mr. McLain:

S. 925. Pertaining to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; establishing, subject to a referendum, a Charter Commission for the purpose of proposing a Charter for the consolidation of such counties and the municipalities situated therein; fixing the powers and duties of said Commission, providing for its membership and the payment of expenses.

Also:

By Mr. Baker:

S. 928. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168), as amended, which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis.

Also:

By Mr. Baker:

S. 930. Repealing Constitutional Amendment CLXXXIV, relating to the compensation of certain officers of DeKalb County; proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of DeKalb County.

Also:

By Mr. McLain:

S. 931. Providing for the appointment, powers, compensation and duties of deputy registrars in Madison County; providing that the board of registrars shall pass upon all applications for registration; and to authorize county governing bodies to provide necessary funds and personnel to provide such service.

Also:

By Mr. Baker:

S. 926. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF CHEROKEE**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

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Be It Enacted by the Legislature of Alabama:

Section 1. The judge of the County Court of Cherokee County is hereafter provided an additional expense allowance of two hundred dollars per month, to be paid out of the county treasury, to be expended in carrying out the duties of his position. Said expense allowance shall be in addition to any and all other salary, compensation or expense allowance provided by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor; or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, 27, July 4, and 11, all in the year 1973.

JOE SHAW, JR.

Sworn to and subscribed before me July 11, 1973.

DOT JOHNSON,
Notary Public.

Also:

By Mr. Baker:

S. 927. Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

Be It Enacted by the Legislature of Alabama:

Section 1. Commencing with the next term of office of the tax assessor and tax collector of Cherokee County their salary shall be \$8,400 per annum payable out of the county general fund as are the salaries of other county officials.

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Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, 20, 27, and July 4th, all in the year 1973.

JOE SHAW, JR.

Sworn to and subscribed before me July 4th, 1973.

GARY E. DAVIS,
Notary Public.

Also:

By Mr. Baker:

S. 929. Relating to Cherokee County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cherokee County, to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Be It Enacted by the Legislature of Alabama:

Section 1. In Cherokee County each house trailer must have the identification tag provided for in Act No. 44, H. 53, 1961 Special Session, (Acts 1961, p. 1897) as amended, attached to the rear of said trailer regardless of whether said house trailer has been assessed for ad valorem taxation as part of the realty.

Section 2. This Act shall become effective on October 1, 1973.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, 20, 27, and July 4th, all in the year 1973.

JOE SHAW, JR.

Sworn to and subscribed before me 9th day of July, 1973.

GARY E. DAVIS,
Notary Public.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 925. Local Legislation No. 4.
- S. 928. Local Legislation No. 1.

The Senate bill, S. 930, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 931. Local Legislation No. 4.
- S. 926. Local Legislation No. 1.
- S. 927. Local Legislation No. 1.
- S. 929. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Givhan:

S. 870. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Also:

By Mr. Carr:

S. 877. Relating to counties having a population according to the last federal decennial census; to require the use of voting machines at all polling places; to allow the designation of voting places; to permit electors to register votes on any voting machine at the designated voting place; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines.

Also:

By Mr. Fine:

S. 881. Applicable to any city having a population of not less than 7,750 nor more than 7,825 according to the most recent federal decennial census; to provide an expense allowance to the mayor of any such city.

Also:

By Mr. Harris:

S. 882. Amend the title and Section 3 of Act No. 258 of the 1973 Regular Session of the Alabama Legislature, relating to election districts for Morgan County, so as to provide for the changing of election dates in Districts three and four.

Also:

By Mr. Clark:

S. 875. Relating to counties having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census; authorizing the District Attorney of such counties to appoint one Deputy District Attorney; providing for compensation.

Also:

By Mr. Harris:

H. 853. Creating the position of full time deputy district attorney for the eight judicial circuit; providing compensation for such position.

Also:

By Mr. Harris:

S. 852. Repealing Act No. 278, H. 369, Special Session 1966 (Acts 1966, p. 420) which created a deputy district attorney for the Eight Judicial Circuit.

Also:

By Mr. Shelby:

S. 858. Governing the pleading, practice and procedure in civil actions in the Tuscaloosa County Court by adopting the Alabama Rules of Civil Pro-

cedure to increase the jurisdiction in civil actions in the Tuscaloosa County Court and to provide an expense allowance for the judge of the Tuscaloosa County Court.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Governing the pleading, practice and procedure in civil actions in the Tuscaloosa County Court by adopting the Alabama Rules of Civil Procedure to increase the jurisdiction in civil actions in the Tuscaloosa County Court and to provide an expense allowance for the judge of the Tuscaloosa County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. In so far as applicable the Alabama Rules of Civil Procedure adopted by the Supreme Court of the State of Alabama to become effective on July 3, 1973, shall govern all pleading, practice and procedure in all civil actions in the Tuscaloosa County Court, except there shall be no pretrials or pretrial orders; however, nothing in this Act shall be construed as conferring on any party a right to trial by jury in the Tuscaloosa County Court.

Section 2. The Tuscaloosa County Court shall have jurisdiction in civil actions in which the amount involved is Two Thousand and no/100 (\$2,000.00) Dollars or less.

Section 3. The judge of the Tuscaloosa County Court shall be paid an expense allowance of Five Thousand and no/100 (\$5,000.00) Dollars per annum which shall be in addition to any and all other expenses, allowances, salary and other compensation now provided by law. Such allowance shall be paid in equal monthly installments out of the county general fund.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the

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State of Alabama, said notice having appeared in the issues of said paper on April 12, 19, 26 and May 3, all in the year 1973.

KARL ELEBASH, JR.

Sworn to and subscribed before me August 10, 1973.

LA JUNE BURNETT,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 870. Local Legislation No. 1.
- S. 877. Local Legislation No. 1.
- S. 881. Local Legislation No. 1.
- S. 882. Local Legislation No. 1.
- S. 875. Local Legislation No. 1.
- S. 853. Judiciary.
- S. 852. Local Legislation No. 1.
- S. 858. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Baker:

S. 779. To authorize the district attorney of the Thirty-Eighth Judicial Circuit to appoint a part-time deputy district attorney, and to prescribe his duties; to fix his compensation and the manner of its payment.

Also:

By Mr. Baker:

S. 780. To authorize the district attorney of the Ninth Judicial Circuit to appoint one full-time and one part-time deputy district attorney, and to prescribe their duties; to fix their compensation and the manner of its payment.

Also:

By Mr. Carr:

S. 805. To provide for two deputy district attorneys for the 27th judicial circuit and their compensation and appointment.

Also:

By Mr. Dozier:

S. 880. To create the office of supernumerary county commissioner in all counties with a population of not less than 11,500 nor more than 12,500

according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committee as follows:

- S. 779. Local Legislation No. 1.
- S. 780. Local Legislation No. 1.
- S. 805. Local Legislation No. 1.
- S. 880. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Weaver:

S. 866. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salary of the clerical assistant to the district attorney of the judicial circuit in which such county lies.

Also:

By Mr. Weaver:

S. 867. Relating to the assistant district attorney in all counties having populations of not less than 65,000 nor more than 68,000; increasing the supplement to the salary paid by the state.

Also:

By Mr. Weaver:

S. 863. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salaries of bailiffs appointed by any circuit judge of the judicial circuit in which such county lies.

Also:

By Mr. Baker:

S. 878. Relating to all counties having a population of not less than 41,750 nor more than 45,000 according to the most recent federal decennial census, setting the salary for the County Solicitor or Deputy District Attorney.

Also:

By Mr. Baker:

S. 879. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to prescribe the du-

ties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

Also:

By Mr. Lybrand:

S. 856. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

Also:

By Mr. O'Bannon:

S. 889. To provide for an investigator in the district attorney's office of the Thirty-First Judicial Circuit.

Also:

By Mr. Carr:

S. 846. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 5,550 nor more than 5,700 inhabitants that lie within counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

By Mr. Weaver:

S. 865. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation of the tax assessor and tax collector in all such counties.

Also:

By Mr. Weaver:

S. 868. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation and expenses of the circuit clerk in such counties.

Also:

By Mr. Weaver:

S. 869. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation of the register of the circuit court in such counties.

Also:

By Mr. Fine:

S. 855. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; to authorize the board of registrars to meet for 60 days in addition to the

number of days now provided by law for the purpose of implementing the federal court's plan of reapportionment; to authorize the county commission to appoint additional personnel and clerical help to work under the board of registrars, to determine the compensation of such personnel and to pay such compensation from the general fund of the county.

Also:

By Mr. Shelby:

S. 857. To further amend Sections 2 and 3 of Act No. 491, S. 444, Regular Session 1961, as amended, An Act relative to cities in the state having a population of not less than 60,000 nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government in such cities; and providing for the term of the members of said commission board, and the time and manner of calling and holding an election therefor.

Also:

By Mr. Horne:

S. 871. Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, and court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure, process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF LEE

NOTICE is hereby given that a bill, substantially as follows, will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, said court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure,

process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court Lee County, Alabama; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. DISTRICT COURT CREATED. There is hereby established in Lee County a court with county-wide limited jurisdiction of criminal cases and civil actions formerly at law. The court shall be known as the "District Court of Lee County, Alabama." It shall be in lieu of the Court of Common Pleas of said county which is abolished as of the effective date of this Act. The District Court of Lee County shall be comprised of four divisions as follows: civil, criminal, juvenile and small claims, as provided herein.

Section 2. JURISDICTION.

(a) Except as provided in Subsection (b) following, the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings and cases (including paternity proceedings, actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment or actions in the nature of actions in ejectment), cognizable before the circuit court, or formerly in a county court, a juvenile court, or a justice court, and all courts of like jurisdictions. It shall have authority to punish contempts by fine not exceeding \$50.00 and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are consistent with the Rules of Civil Procedure as adopted by the Supreme Court.

(b) The Court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil action when the matter or sum in controversy exceeds \$2,000.00, nor take cognizance of any matter or proceeding formerly in equity, except as set out in Section 7, relating to the Juvenile Division of this Court.

(c) The court may adopt and enforce rules and regulations for pleading, practice and procedures in civil, criminal, juvenile and small claims cases consistent with the rules of civil and criminal procedure adopted for the circuit courts except as provided herein.

Section 3. JUDGE.

(a) A judge of the District Court shall be elected by the qualified electors of the county at the general election of 1974, and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by the Constitution. He may be removed from office for any cause enumerated in the Constitution, in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Lee County, learned in the law and licensed to practice law in this State. The judge shall not engage in the practice of civil or criminal law, and shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in the Constitution.

(c) The judge shall receive an annual salary of \$20,000.00, payable out of the general fund of the county in equal monthly installments.

(d) The judge shall have authority to: (1) grant writs of habeas corpus and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and Ne exeat returnable to a court of proper jurisdiction, (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may be conferred by law upon circuit judges, and judges of juvenile and county courts or district courts which may be hereafter created.

(e) The judge shall keep an office in the county courthouse, or such other place as shall be provided by the governing body of the county. His office shall be suitably equipped, furnished and provided at the expense of the county with such office supplies, telephone service, stationery, stamps, furniture, fixtures, and other materials as may be necessary for the transaction of the business of the court. The judge shall employ, at his discretion, such officers and employees as may be necessary to conduct the operation of the District Court and all of its divisions as provided in this Act, and shall fix their salaries with the approval of the county governing body. The judge, and all such officers and employees, shall be deemed to be employees of Lee County, Alabama.

Section 4. SESSIONS.

The District Court of Lee County, Alabama, shall be open for the transaction of any and all business or judicial proceedings of every kind within its jurisdiction at all times. Sessions of the court shall be held at the county courthouse or in such other places as may be determined by the judge to be necessary, and any additional facilities required for the court shall be provided by the county governing body. The judge of said court shall determine and fix by order spread upon the minutes a regular time of holding the sessions of said court as necessary for the orderly and speedy trial of all cases.

Section 5. CIVIL DIVISION.

(a) The judge of the District Court of Lee County shall preside over the Civil Division hereby established for said court. Except as otherwise provided in this Act, the practice, procedure and process of the Civil Division of the District Court of Lee County shall be governed by the Alabama Rules of Civil Procedure, and statutes governing commencement and conduct of civil actions in the circuit courts.

(b) In civil actions when the summons, writ of attachment, summons and complaint in attachment, writ of garnishment or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and respond thereto within fifteen days, and the process issued shall so recite.

(c) The Civil Division of the District Court of Lee County shall not draw, organize, or empanel any jury for the trial of civil cases. The judge shall decide all issues of fact without the intervention of a jury.

(d) The sheriff shall attend the sessions of the District Court of Lee County in person or by deputy. He shall execute all writs and processes of the Civil Division of the District Court of Lee County, and perform the same duties as he would be required to perform in the circuit court.

(e) The party in whose favor a judgment is rendered shall have all the rights, remedies and privileges with respect to the registration and enforcement thereof as are provided by statute.

Section 6. CRIMINAL DIVISION.

(a) The judge of the District Court of Lee County shall preside over the Criminal Division of said Court. Prosecutions may be commenced in the Criminal Division of the District Court of Lee County upon the sworn complaint made to the judge of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, or upon sworn complaint made as prescribed by law, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the same shall be sufficient for the arraignment and trial of the accused.

(b) All warrants issued in Lee County for misdemeanors for violation of the rules of the road and other misdemeanors defined or provided for in Code of Alabama, Title 36 as amended, shall be returnable to the District Court and shall be tried there.

(c) Either the District Attorney or the Assistant District Attorney for the judicial circuit in which Lee County is situated shall attend the sessions of the criminal division of the court, and shall conduct all criminal prosecutions in the court.

(d) The sheriff shall attend the sessions of the criminal division of the court in person or by deputy. He shall execute and serve all warrants and processes of the criminal court, and perform the same duties as he would be required to perform in the circuit court.

(e) The criminal division of the District court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

(f) One-half of the costs of court taxed in Rules of the Road cases made by the State Troopers under the authority of Title 36 of the Code of Alabama, 1940, as amended, shall be remitted to the general fund of Lee County, Alabama, for the use of said County.

Section 7. JUVENILE DIVISION.

(a) **JURISDICTION.** The judge of the District Court of Lee County shall preside over the Juvenile Division of said court. The Juvenile Division shall have all of the powers and jurisdiction conferred by law upon Juvenile Courts, including specifically Chapter 7 of Title 13, and Chapter 11 of Title 52, all of Code of Alabama, 194; as amended or recodified. In addition to the foregoing statutory jurisdiction pertaining to juveniles, while it is exercising its juvenile jurisdiction the District Court shall also have the general powers of equity courts in the exercise of their inherent equity jurisdiction to protect and care for children under the doctrine of parents patriae.

(b) **JURY TRIAL.** When a juvenile defendant is entitled to a trial by jury upon making timely demand therefor, or at the discretion of the judge, the judge shall empanel a jury to decide questions of fact in proceedings involving juveniles which would be criminal prosecutions except for the age of

the juvenile. In the event a jury venire has been empanelled for the circuit court at the time a juvenile case is being tried, the judge may direct that the jury be selected from such circuit areas involving the welfare of juveniles and their families, and make proper reports to the Court as requested by the Judge or District Attorney. The probation officers may refer to the Department of Pensions and Security for investigation cases involving dependency, neglect and suspected child abuse. The compensation of the juvenile court officer and the probation officers shall be fixed by the Judge, subject to the approval of the county governing body; but the compensation of the juvenile court officer shall be a salary of not less than \$9,000.00 nor more than \$12,000.00 per year, and the compensation of each probation officer shall be a salary of not less than \$9,000.00 nor more than \$12,000.00 per year. Such salaries shall be payable out of the county treasury of Lee County at the same time and in the same manner as the salaries of other employees of Lee County.

(d) **AUTOMOBILE, EQUIPMENT, INSURANCE AND PROFESSIONAL CONFERENCES.** The county governing body of Lee County shall also provide for furnishing such automobiles and other supplies and equipment as are reasonably needed by the Juvenile Court officer and the probation officer or officers, as the case may be, and such equipment as needed by the Court. The county governing body of Lee County shall also provide for paying the maintenance and operating expenses and insurance coverage of all such automobiles as are furnished. Such governing body shall also defray the reasonable expenses of the Judge and any other officer or employee of the juvenile court incurred in attending any conference, seminar or professional convention relative to the duties, powers and functions of the juvenile court of Lee County, Alabama, or the officers thereof.

(e) **LEGAL REPRESENTATION.**

(i) The District Attorney or his designated assistant may appear in the Juvenile Court of Lee County, Alabama, in behalf of and in representation of the State or juveniles or parties to the action.

(ii) In the absence of a public defender or in the absence of representation by retained counsel, the Judge of said Court may appoint legal counsel to represent the juvenile in any court proceeding, and said counsel shall be compensated from the County's General Fund as is provided by law.

Section 8. SMALL CLAIMS DIVISION.

The Small Claims Division of the District Court of Lee County shall be presided over by the judge of the Court, assisted by a Referee to be appointed by the judge of the District Court of Lee County. Said Referee shall be paid not less than \$6,000.00 nor more than \$7,200.00 per annum, the exact amount to be fixed by the county governing body. The Small Claims Division of the District Court shall be responsible for the disposition of all claims in amounts not exceeding \$250.00. The Referee of the Small Claims Division shall be authorized to issue summons and complaints, and all appropriate writs to commence a suit, and in addition to issue process of garnishment, writs of detinue and attachment, after judgment or as provided by law. Personal service of process shall be executed by any lawful officer or constable and the fees and mileage provided by law for service of process in the circuit courts shall be charged and paid to said constable. Service of any process in the small claims division is effected on the person to be served by delivering

to him a copy thereof with a copy of the complaint or other initial pleading, or by leaving such copies at either his usual place of abode or place of employment with some person of the family above 15 years of age or in charge of such place of employment, and in either event informing such person of their contents. In the alternative process may be made by certified mail addressed to the defendant's proper mailing address. In the event the defendant shows to the satisfaction of the court that he was not properly served and did not know of the existence of such suit before judgment was entered against him, and also shows to the satisfaction of the Court that he had a good defense to the claim, in whole or in part, the Court shall set aside any judgment by default and allow the defendant to interpose his defense; but, it shall not be necessary to re-serve the defendant. After service of process has been executed and perfected on the defendant as required by law, the defendant shall appear and answer thereto within five days, and the process issued shall so recite. The filing fee for claims for amounts not exceeding \$50.00 shall be \$5.00. The filing fee for claims for amounts not exceeding \$100.00 shall be \$10.00. The filing fee for claims for amounts in excess of \$100.00 shall be \$15.00. Such filing fees shall be paid in advance by the plaintiff and reimbursed to him if collected from the defendant. No other costs or charges except for service of process, shall be assessed the plaintiff or claimant in the Small Claims Division, but costs for other papers or writs filed shall be set by a schedule of costs to be fixed by the judge. The procedures and forms of the Small Claims Division shall be prescribed by the judge of the District Court of Lee County, and the Referee shall assist the plaintiff in the preparation thereof upon request. The Referee shall have authority to enter judgments by default, and by consent of the parties to hear and decide controversies and cases in the Small Claims Division, but any party may request his case to be tried before the judge of the District Court, The Referee may be a deputy clerk of this Court, and as such bonded and authorized to take payments or collections on judgments and to issue receipts therefor.

Section 9. CLERKS.

(a) The Circuit Clerk of Lee County shall be the clerk of the Court herein established. In addition to his regular fees, commissions and compensations, the clerk shall receive for such services the sum of \$6,000.00 per annum which sum shall be payable in equal monthly installments from the general fund of the county. He shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. He shall keep a seal, which shall be the official seal adopted by the Court. Before entering upon the performance of his duties as clerk of the District Court of Lee County, he must give bond as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to keep all the records, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

The clerk shall have power and authority: (1) To administer oaths and take acknowledgments and affidavits; (2) To sign and issue all processes issuing out of the court, in all of its divisions, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments and releases; (3) To approve bonds in civil and criminal cases including appeal bonds; (4) To enter all judgments, orders, and decrees of the court; (5) To certify all appeals and transcripts; (6) To exercise all powers and authority which are now or may be hereafter, conferred on clerks of county or district courts; (7) To super-

visé the administrative functions of the Small Claims Division of the District Court, subject to the approval of the judge of the District Court.

Section 10. COSTS.

(a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs and commissions for the use of the officers of the county as provided by law.

(c) A trial tax of \$5.00 shall be collected for the use of the county in each civil action and in every criminal case, a trial tax of \$5.00 shall be collected for the use of the county.

(d) Costs in juvenile cases may be taxed by the Court as in cases formerly in equity, and the Court may decline to take any costs at all. In addition to usual court costs the judge may tax as costs against a juvenile the amount necessary to make restitution to any person injured damaged or wronged by such juvenile.

Section 11. APPEALS.

Any party aggrieved by a judgment, order, or ruling of the court may, within fifteen days after the rendition thereof, appeal the decision as herein provided. (1) If the case is a civil case, the appeal lies to the circuit court of Lee County where the trial shall be de novo with trial by jury where demanded by either party in writing filed with the clerk within 15 days after notice of appeal is filed with the clerk or at the option of the appellant the appeal lies to the court of appeals, except as to actions involving possession of lands, and shall be governed by statute. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed \$250.00, the issues shall be made up as provided by law; otherwise the pleadings and trial shall be according to the regular rules of pleadings and practice in the circuit court. (2) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by statute. (3) In every criminal case, the appeal lies to the circuit court, but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant or at the option of the appellant to the court of appeals and shall be governed by statute.

Section 12. TRANSFER OF PENDING CASES.

All cases and actions pending in the Court of Common Pleas of Lee County on the effective date of this Act shall be transferred to the Court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished court; this Court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 13. COURT REPORTER.

The judge of the District Court of Lee County shall secure the services of a competent shorthand writer to act as court reporter for such court. Such reporter shall be an officer of the Court while performing his duties, and

shall have the same powers, duties and responsibilities as a reporter in the circuit court. Such reporter shall, while performing his duties as provided herein, be compensated from the county treasury at the same rate and in the same manner as circuit court reporters, and shall serve at the pleasure of the Judge.

Section 14. SEVERABILITY.

The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 15. REPEALER.

All laws in conflict with this Act are repealed to the extent of the conflict.

Section 16. EFFECTIVE DATE.

This Act shall become effective on the first Monday after the second Tuesday in January, 1975.

STATE OF ALABAMA
LEE COUNTY

Before me, the undersigned authority in and for said county in said state, this day personally appeared Millard B. Grimes, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Opelika-Auburn Dailey News, a newspaper of general circulation, published in Lee County, State of Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, July 27, August 3, and August 10, all in the year 1973.

MILLARD B. GRIMES.

Sworn to and subscribed before me on this the 14th day of August, 1973.

PAULINE L. HOOKS,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 866. Local Legislation No. 1.
- S. 867. Local Legislation No. 1.
- S. 863. Local Legislation No. 1.
- S. 878. Local Legislation No. 1.
- S. 879. Local Legislation No. 1.

SENATE MESSAGE

The Senate bill, S. 856, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 889. Local Legislation No. 1.
- S. 846. Local Legislation No. 1.
- S. 865. Local Legislation No. 1.
- S. 868. Local Legislation No. 1.
- S. 869. Local Legislation No. 1.
- S. 855. Local Legislation No. 1.
- S. 857. Local Legislation No. 1.
- S. 871. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Shelby, Lindsey, Wilson, Harris, Edington and O'Bannon:

S. 353. To revise existing bail practices in the courts of Alabama to assure that all persons, regardless of their financial or social status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest, to be known as "The Alabama Bail Reform Act of 1973," prescribing means in addition to the giving of bail bonds by which a person charged with an offense may give security for appearance in order to secure his release and amending certain sections of the Code of Alabama 1940 to conform with such revision.

MCDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

- S. 353. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Register:

S. 886. To establish a Civil Service System for Houston County; to provide a policy for the administration of this act; to divide positions in the county into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans for Houston County; to provide that the first members of the personnel board shall be members of the existing personnel appeals board created pursuant to Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), and to provide for their successors in office; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the county; to provide for the expenses of such board; to guarantee certain rights to the governing body of Houston County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To establish a Civil Service System for Houston County; to provide a policy for the administration of this act; to divide positions in the county into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and plans for Houston County; to provide that the first members of the personnel board shall be members of the existing personnel appeals board created pursuant to Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), and to provide for their successors in office; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and-or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under

which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the county; to provide for the expenses of such board; to guarantee certain rights to the governing body of Houston County.

Be It Enacted by the Legislature of Alabama:

Section 1. DEFINITION.

The following words, terms, and phrases wherever used herein shall have the meanings respectively ascribed to them in this section and shall include the singular as well as the plural:

ALLOCATION means the assignment of positions to a class on the basis of the nature difficulty and responsibility of work of the positions.

APPOINTING AUTHORITY means the official or board designated by resolution of the governing body as being the official or board having authority to fill vacancies in a specified class or the governing body itself in the event that the governing body has made no such designation in respect to a class or having made such designation has thereafter repealed such resolution.

BOARD means the Personnel Board of Houston County.

COUNTY means Houston County.

COURT means the Circuit Court of Houston County, Alabama.

MERIT SYSTEM whenever the term "Merit System" appears, it shall mean the same as "Civil Service System"; within the meaning of this act.

CERTIFY, CERTIFICATION means the act of supplying the appointing authority with names of applicants deemed eligible for appointment to the class of position to be filled.

CLASS means a position or group of positions that involve similar duties and responsibilities and require similar qualifications and are designated by a single title indicative of the work to be performed.

ELIGIBLE LIST means a list of names of persons who have successfully competed by examination, written or oral, arranged in the order of their final ratings, as determined by the Personnel Board.

EMPLOYEE means a person regularly occupying a position in the classified service or a person who is on authorized leave or absence and whose position is being held for him pending his return.

DEMOTION means removal of an employee from a position in one class to a position in another class having a lower maximum salary limit than the position from which he was removed.

ORIGINAL APPOINTMENT means the appointment to a position in the classified service of a person who is not being reemployed from the reemployment list, nor being promoted from the promotional eligible list and who, except for those in the exempt service and those serving under temporary appointment, is not an employee of Houston County.

ORIGINAL APPOINTMENT ELIGIBLE LIST means the eligible list of persons qualified for original appointment to a position.

LAI D OFF means separated from the classified service of Houston County because of lack of work or funds or other reason not related to fault, delinquency or misconduct on the part of the employee.

POSITION means a group of current duties and responsibilities assigned or delegated by competent authority and requiring the full or part time services of one employee.

PROMOTION means a change of employment from a position of one class to a position of another class which has a higher maximum salary rate.

PROMOTIONAL ELIGIBLE LIST means the eligible list of persons qualified for promotion to a position.

REEMPLOYMENT LIST means:

(A) The list of names of former employees who have been laid-off from a position within the past two (2) years who had permanent status in that position as long as that position continued in the classified service, arranged in the inverse order in which they were laid-off.

(b) The list of names of those former employees who resigned or otherwise left Houston County service in good standing at any time within the past two (2) years.

Vacancy means a position duly created with funds provided for payment of a salary, which is not occupied, or which is occupied by a person serving under a temporary appointment.

Section 2. DIVISION INTO EXEMPT AND CLASSIFIED SERVICES.

All offices and positions of Houston County shall be divided into the exempt service and the classified service.

1. The exempt service shall include: (a) the positions of all elected officials of Houston County; (b) the positions of voluntary personnel and personnel appointed to serve without pay; (c) the positions of consultants rendering temporary professional service; (d) all positions involving seasonal or part-time employment; (e) the positions of attorneys rendering legal service; provided, however, such positions in the exempt service held by employees of boards and commissions may be placed of the Personal Board after favorable recommendation by such other board or commission, and the Personnel Board, in such resolution shall prescribe the conditions under which the employees holding such positions so transferred may acquire permanent status in such positions so long as such positions remain in the classified service (f) employees not paid exclusively by Houston County.

2. Classified Service: The classified service shall include all positions in the service of Houston County who are paid out of the General Fund and all other Funds of Houston County and out of funds of boards and commissions whose employees are placed in the classified service, and which are not specifically placed in the exempt service; provided, however, the Personnel Board may by resolution, pursuant to a recommendation by the boards, remove any position from the classified service and place it in the exempt serv-

ice. Unless otherwise specifically provided or clearly implied, the provisions of this act shall apply only to the classified service.

Section 3. STATUS OF PRESENT EMPLOYEES.

All employees who have acquired permanent status shall, subject to the provisions of this act, have permanent status in their present positions so long as such positions remain in the classified service. All other employees shall be eligible to acquire permanent status in their present positions so long as such positions remain in the classified service in the manner provided in Section 14, upon completing six months service in such positions, such time to be computed from the beginning of such service, rather than from the effective date of this act.

Section 4. BOARD MEMBERS.

The personnel program established by this act shall be administered by the board. The members of the five member Personnel Appeals Board, created pursuant to Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643) shall be the first members of the personnel board created by this act and such members shall continue to hold office on the personnel board herein created until such time as their respective terms would have expired on the personnel appeals board according to the terms of said Act No. 2262. Upon the expiration of the term of each member, his successor shall be appointed by the original appointing authority for terms of six (6) years each; and one member each shall hereafter continue to be appointed by the following; the Houston County Commission, the circuit judge of the twentieth judicial circuit who is a resident of Houston County, probate judge of the county, the judge of the Law and Equity Court of Houston County (or any succeeding statutory inferior court in said county), and by the county employees who will be subject to the provisions of this act.

No person shall be appointed to the personnel board unless he is of recognized good character and ability, and is an actual resident in and qualified elector of the county. No person shall be eligible to appointment or shall continue to be a member of a board created under this act who holds an elective office under the state, county, or any city therein, or who is a candidate for elective office. Vacancies on the board shall be filled for the unexpired terms in the same manner as original appointments are made. The board shall elect a chairman from among its members, who shall preside at its meetings. Three members shall constitute a quorum for the transaction of any business which may properly come before the board. Each person so appointed shall, within fifteen days after appointment, qualify by making oath that he will faithfully execute the duties of office to the best of his ability and knowledge which oath shall be recorded as provided by law. The board shall adopt reasonable rules regulating the procedure of the board. Notice of all meetings of the board shall be given to each member by the clerk of the board.

Section 5. MEETINGS, CLERKS, COMPENSATION.

The personnel board shall meet on the call of the chairman or upon call of three members of said board. Such meetings shall be held in the county courthouse in an office which the county commission shall provide. The board shall designate a clerk of said board. The person designated as the clerk may be an employee on the county in some other capacity. The county commission shall be authorized to employ and to provide for the compensation of such additional clerks to assist the said clerk as it may deem necessary

for the administration of this act. Each member of the board shall be paid \$15.00 from the General Fund of Houston County per day or part thereof on which the Board meets. The Board shall not be compensated for more than twenty (20) days per member per year.

Section 6. RULES, CLASSIFICATION PLANS, AND PAY PLANS.

So long as the same are not inconsistent with this act, the board shall adopt rules and regulations for the operation of the civil service system established hereby, including, but not limited to a job classification plan, a pay plan, and a plan for the mandatory and-or permissive retirement of employees, and the same shall become operative and have the force and effect of law. All rules, regulations and pay and classification plans in effect at the time of the adoption of this act which are not in conflict with the provisions hereof shall remain in force and effect after the effective date of this act until the same are altered, amended or repealed in the manner hereinafter provided.

Section 7. AMENDMENTS AND REPEAL.

Any rule, determination, regulation or plan may be amended or repealed in whole or in part in the same manner as is provided herein for the making of such rules, determinations, regulations or plan.

Section 8. JOB CLASSIFICATION PLAN.

After the adoption by the governing body of a job classification plan, allocation of each position in the classified service shall be made by the board to the end that all positions in the same class shall be sufficiently alike to permit use of a single descriptive title, the same qualification requirements, the same test of competence, and the same pay scale.

Section 9. PAY PLAN.

After the adoption by the Personnel Board of a pay plan and any rules of its administration, the board will assign each position to one of the pay ranges provided in the pay plan to the end that the rate or range of compensation for each class provided for in the pay plan shall be such as to reflect fairly the differences in duties and responsibilities in the various classes.

Section 10. EXAMINATION.

Eligibility for original appointment or promotion to vacancies in positions in the classified service occurring after the adoption of this act shall be determined by the Personnel Board. The Personnel Board shall conduct such examinations as will fairly test the abilities and aptitudes of the applicants with respect to the duties to be performed. Applicants who pass the test and otherwise qualify for original appointment or promotion, as the case may be, shall be placed on the appropriate eligible list for the vacancy. The board may refuse to examine, or after examination refuse to certify the name of anyone who is found to lack any of the established qualification requirements for the position for which he applies or who is physically so disabled as to be unfit to perform duties of the position to which he seeks appointment, or who has been convicted of or is under indictment for any crime involving moral turpitude or who has been guilty of any infamous or disgraceful conduct or who has been dismissed from the public service for delinquency or misconduct or who has intentionally made a false statement of any material fact or

practiced or attempted to practice any deception or fraud in his application, or in his examination.

Section 11. TEMPORARY APPOINTMENT.

Pending the availability of a list of names certified as provided in Section 13 thereof, positions may be filled by temporary appointment. The Personnel Board may grant permanent status in a position in the classified service so long as such position remains in the classified service, to any employee who has served in a vacancy in a position then in the classified service by temporary appointment for at least twelve (12) months and who has passed his examination, if at the time of such action by the governing body no such list of names has been so certified for the vacancy in which the said employee is serving.

Section 12. LISTS OF NAMES OF PERSONS AVAILABLE FOR APPOINTMENT.

Lists of names of persons available for appointment to a vacancy in a position in the classified service will be selected for certification as provided in Section 13 hereof in the order in which they appear from among the laid-off persons on the reemployment list, promotional eligible list, original appointment eligible list, and reemployment list composed of former employees for said vacancy, which lists shall have priority one over the other in the order named. A former employee with probationary status with respect to the vacancy may, with the approval of the appointing authority, have his name placed at such position on the promotional eligible list as the appointing authority may designate. Policies and procedures for administering eligible lists and covering the duration, cancellation, replacement, and consolidation of such lists, and the removal or suspension of names therefrom shall be provided in the personnel rules.

Section 13. METHOD OF FILLING VACANCIES.

Except as hereinafter provided, vacancies in positions in the classified service shall be filled by the appointing authority by the appointment of a person whose name is certified, within thirty (30) days after certification. Certification shall be made upon request of the appointing authority therefor whenever a vacancy exists, the appointing authority, in his discretion, determines that such vacancy shall be filled, and the name of an applicant for such vacancy is eligible for certification. If there is a laid-off person on the reemployment list with respect to a vacancy, only the top name on such list shall be eligible for certification. In the event the top person is not available for appointment, the next ranking names may be certified until the highest ranking person who is available is appointed. In the event there is no such reemployment list, and the names on the promotional eligible list for such vacancy plus the names on the original appointment eligible list for such vacancy equal three (3) or more, the three (3) names ranked highest on the said promotional eligible list shall be eligible for certification provided, however, should the said promotional eligible list not contain three (3) names, then the names appearing thereon, plus such of the names ranked highest on the said original appointment eligible list as will be sufficient to bring the number certified to three (3) shall be eligible for certification. If after making a reasonable effort it should prove impossible for the appointing authority to locate any of the persons so certified or should it become known to the board that any person so certified is not willing to accept the position, the appointing au-

thority may request that additional names be certified until the appointing authority has available to him a list from which to make the appointment containing the aforesaid authorized number of persons all of whom are available for such appointment and willing to accept the position, or, in the event that the list certified to the appointing authority contains fewer than the authorized number of available and willing persons as aforesaid from which to make a selection, the appointing authority, in his discretion, may choose from the remaining certified names, make a temporary appointment, or make no appointment. In the event that there the board deems to be appropriate from which to fill the vacancy, the board shall prepare such a list within a reasonable time after receipt of the request of the appointing authority that eligibility be certified. Provided, however, nothing herein contained shall be construed as preventing an appointing authority, in his discretion, from withdrawing his request for the aforesaid certification, either before or after such certification has been made in response to his request therefore. Whenever a person has been certified to and rejected times, the board may remove the name of such person from the eligible list on which his name appeared. A person shall be deemed to have been so ejected by an appointing authority with a vacancy is filled from an eligible list on which his name appeared and such person was not selected to fill the vacancy.

Section 14. PROBATION.

Except as provided in Sections 2 and 3, to acquire permanent status in a position in the classified service so long as such position remains in the classified service, employees shall be subject to a period of probation. The regular period of probation shall be six (6) months; provided, however, the board may adopt rules and regulations specifying a longer period of probation for a designated class or classes, or for extension of the probation period for any individual probationary employee, but no probationary period may extend beyond twelve (12) months. The work and conduct of employees with a probationary status shall be subject to close scrutiny and evaluation. An employee retained beyond the end of the probationary period shall have permanent status in the position in which he was so retained so long as that position remains in the classified service if, but only if, the appointing authority files a written statement with the personnel board affirming the fact that the services of the employee have been found to be satisfactory.

Section 15. ABSENCES: HOURS OF WORK.

Rules shall be adopted in the manner hereinbefore provided prescribing hours of work and the conditions and length of time for which leaves of absence with pay and leaves of absence without pay may be granted. These shall cover such matters as vacations, holidays, sick leaves, leaves for military service, and leaves granted so that the employee can seek election to public office.

Section 16. LAY-OFF OF EMPLOYEES.

Any employee may be separated from his position by being laid-off. Reduction in the number of employees shall be made in such class or classes as the appointing authority may designate; provided, however, within each class affected by such reduction employees shall be laid-off in the following order. (1) temporary employees who did not have permanent status in some other position in the classified service at the time they were appointed to their present position; (2) probationary employees who did not have permanent status

in some other position in the classified service at the time they were appointment to their present position; (3) other temporary employees; (4) other probationary employees; and (5) employees having permanent status in the position in the classified service.

Section 17. DISMISSAL, DEMOTION AND SUSPENSION OF EMPLOYEES.

Any employee may be dismissed, suspended without pay or denoted by his appointing authority for, but not limited to, any violation of the provisions of this act or whenever the good of the service will be served thereby or the employees work, performance, conduct on or off the job, or insubordinate attitude so warrants; provided, however, that no employee may be suspended without pay for more than 10 working days at any one time or for more than 10 working days in any one year; and provided further, that no employee shall be dismissed, suspended without pay or demoted for political considerations other than those enumerated in Section 21 hereof. Any person appointed to a position who has secured his certification therefor through fraud shall be removed by his appointing authority and shall not thereafter be eligible for examination for or appointment to any position except by unanimous permission of the board. The appointing authority shall promptly report to the board in writing the fact and extent of all disciplinary action taken by said appointing authority against employees holding positions in the classified service.

Section 18. PROCEDURE FOR PROTESTING CERTAIN DISCIPLINARY ACTION.

An employee shall have the right to protest any disciplinary action taken against him by his appointing authority; provided, however, an employee serving by temporary appointment and an employee having probationary status shall have no right to protest any such disciplinary action, unless such employee has permanent status in some other position at the time he was appointed to his present position. An employee desiring to protest any disciplinary action directed against him by his appointing authority shall file a protest in writing with the board and with his appointing authority within not less than 7 days and no more than 40 days of the date on which the disciplinary action was taken and request a hearing before the board. Within 7 to 21 days after receipt of the protest, his appointing authority shall file with the chairman of the board and mail to the employee by certified call a statement specifying the charges against such employee on which the disciplinary action was based. Upon the filing of such charges, the said chairman shall call a meeting of the board to be held within 7 days after the filing of such charges to hear such protest, and shall forthwith give notice by certified mail to the employee and his appointing authority of the time and place of such meeting. The board shall have the authority to continue the hearing from time to time as may be necessary. In preparing for and conducting such hearing, the chairman and secretary-treasurer of the board shall each have the power to administer oaths, and to subpoena and require the attendance of witnesses and the production of books, documents and accounts pertaining to the subject under investigation. Subpoenas issued as herein provided shall be served (and the fees and allowances for the service thereof shall be the same) as is provided by law for the service of subpoena issued by the Circuit Court of Houston County, Alabama. Said fees and allowances in connection with the service of such subpoena issued at the request of the appointing authority or the board shall constitute reasonable and necessary expenses of the board. Such subpoe-

na issued at the request of the employee shall be served as aforesaid but only after such employee has deposited sufficient security with such sheriff or other officer as will guarantee payment of such fees and allowances for such service. In the event any person is duly summoned to appear and testify or produce evidence, or both, before the board, and such person refuses to attend or testify or produce such evidence, or any of them, in obedience to such summons, the board shall have the right to invoke the aid of the circuit court at law. In such event, and upon proper showing by the board to the court, the court shall issue, or cause to be issued, an order or subpoena requiring such person to appear before the board and produce all evidence and give all testimony relating to the issue within his knowledge. Any person failing to obey any such summons by either of said officers of the board without good cause, to be determined by the court, may be punished by the court in the same method as is provided by law for contempt of the court and any person failing to obey such order or subpoena of the court, may be proceeded against by the court as is by law provided in the case of contempt of such court. In addition, any employee of Houston County who fails to obey any of such orders or subpoenas may be disciplined as provided in Section 17. At the hearing the employee and his appointing authority shall each have the right to be represented by counsel. Such hearing shall be governed by rules of practice and procedure adopted by the board, and in conducting such hearing, the board shall not be bound by the technical rules of evidence. No informality of procedure in the conduct of such hearing shall invalidate any decision made by the board. At the conclusion of the hearing, the board shall render a decision (a) affirming the disciplinary action taken if it is reasonably satisfied from the evidence offered at the hearing that the disciplinary action taken was lawful or was not too severe; or (b) reversing the action of the appointing authority if it is reasonably satisfied from such evidence that the disciplinary action taken was not lawful; or (c) modifying the disciplinary action taken and prescribing the proper penalty if it is reasonably satisfied from such evidence that the employee was subject to some disciplinary action, but that the penalty imposed was too severe. If the board's decision reduces the severity of the disciplinary action taken against the employee, the board, in its decision, may provide that the employee shall be reinstated with or without pay; provided, however, in the event any employee is so ordered to be reinstated with pay, such pay shall not exceed the amount that the employee as such earned during the probationary period next preceding the taking of the disciplinary action in question. A copy of the board's decision shall be filed with the clerk of the personnel board and such decision shall become effective immediately upon such filing, and it shall become final 7 days thereafter unless reversed or modified as hereinafter provided. The personnel board shall be represented by its attorney, or an attorney designated by the personnel board, and said attorney may perform such duties as the board may direct and require. Any compensation paid said attorney shall be paid as in Section 22 hereof.

Section 19. APPEAL TO THE COURT.

Decisions of the board may be enforced in the court by mandamus, injunction, or other appropriate proceedings. The employee, the appointing authority, or the Houston County Commission may, within 21 days after the decision of the board is rendered, appeal to said court from any decision of the board affirming, imposing or refusing to affirm or impose dismissal or demotion as disciplinary action by filing notice of such appeal with the court and causing a copy of such notice to be served on the appointing authority and

any member of the board. Upon the filing of such notice, the board shall file with the court a certified transcript of the proceeding had before it with respect to the appeal, and its decision in the matter. The appeal shall be heard at the earliest possible date by said court sitting without a jury on the issues made before the board and the trial in said court shall be de novo. No bond shall be required for such an appeal and the cost of such appeal shall be taxed against the unsuccessful party or as the judge may direct. At then conclusion of such hearing the court may affirm, reverse or modify the board's decision, or remand the case for further proceedings before the board as the court in its discretion shall deem best. If the order of the court is that the employee shall be reinstated with pay, such pay shall not exceed the amount that the employee as such earned during the probationary period next preceding the taking of the disciplinary action in question. An appeal may be taken from any judgment of said court to the Court of Appeals or Supreme Court as provided by law.

Section 20. RECORDS TO BE MAINTAINED BY BOARD.

The board shall maintain adequate records of its proceedings, of its own official acts, the examination record of every candidate, and the employment record of every employee.

Section 21. POLITICAL ACTIVITIES PROHIBITED.

No person holding a position in the classified service shall keep or attempt to use any political endorsement in connection with any appointment to a position in the classified service. No person holding a position in the classified service shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position in the classified service, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or politician action of any person or for any any consideration. No employee holding a position in the classified service shall, directly or indirectly, pay or promise to pay any assessment, subscription, or contribution for any political organization or purpose, or solicit or take any part in soliciting any such assessment, subscription, or contribution. No person shall solicit any such assessment, subscription, or contribution of any employee holding a position in the classified service. No employee holding a position in the classified service shall be a candidate for nomination or election to any public office, or shall take any part in the management or affairs of any political party or in any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote, unless on authorized leave of absence for such purpose. Any person holding a position in the classified service who violates any provision of this section may be disciplined by dismissal, suspension without pay, or demotion as provided in Section 17 of this act. In addition, any person holding a position in the classified service who wilfully violates any provision of the section shall be guilty of a misdemeanor and upon conviction shall be punished as provided by Section 327 of Title 15 of the Code of Alabama of 1940.

Section 22. EXPENSES OF BOARD.

The governing body shall make necessary appropriations from the general fund of pay the reasonable and necessary expenses incurred by the board and its members in the administration of this act.

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Section 23. RIGHT OF GOVERNING BODY.

Nothing herein shall be construed as restricting the right of the governing body (1) to refuse employment and prohibit the further service of any person who is a member of an organization which is opposed to the basic purpose of local self government; or (2) to increase or decrease proportionately the compensation of all employees; or (3) to use independent contractors for performance of work or the rendering of service by the county.

Section 24. SEVERABILITY. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 25. REPEALER.

All laws or parts of laws which conflict with this act are repealed.

Section 26. EFFECTIVE DATE.

This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says : That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, on the following dates: July 17, 24, 31 and August 7, 73 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 8th day of August, 1973.

EUGENE S. McCLINTIC.
Notary Public.

McDOWELL LEE,
Secretary.

Also:

By Mr. Horne:

S. 892. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to set the number of working days for the county board of equalization and to set and pay a travel allowance to the members of the board.

Also:

By Mr. Horne:

S. 893. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal

decennial census, authorizing the county commission to pay from the county general fund the employer's share of the social security tax for the member of the board of equalization.

Also:

By Mr. Owen:

S. 895. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing an annual expense allowance for the sheriff of such counties.

Also:

By Mr. Harris:

S. 924. Relating to any county having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census; further regulating the expense allowances of the tax assessor and tax collector.

Also:

By Mr. Register:

S. 887. To repeal Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), entitled "An Act to provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties."

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), entitled "An Act to provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), entitled "An Act to provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties," is hereby repealed.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Publisher of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, and the following dates: July 20, 27, August 3, and 5, 1973 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 8th day of August, 1973.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Mr. Register:

S. 885. To authorize the county commission in Houston County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land and Mobile home parks situated outside the corporate limits of any municipality in the county.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize the county commission in Houston County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land and Mobile home parks situated outside the corporate limits of any municipality in the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Houston County is authorized to regulate the planning and construction of all public streets, public roads and drainage structures located or to be located in subdivisions of land and Mobile Home Parks situated outside the corporate limits of any municipality in the county, including the power to require the filing and posting of a reasonable surety bond with such governing body by the developers of such subdivisions to guarantee the actual construction and installation of such approved proposed public streets, public roads and drainage structures before the sale or offering for sale of any lots from such subdivision to the public. The county commission may require the developers of all proposed subdivisions of lands situated outside the corporate limits of any municipality in the county

to submit the plat of such proposed subdivision to the county commission of the county for approval before such plat is filed for record in the office of the judge of probate.

Section 2. If any such public street, public road or drainage structure is erected, constructed or maintained in violation of the provisions of this Act or any regulations made pursuant thereto the county may institute appropriate action or proceedings to prevent such unlawful erection, construction or maintenance, or to require such erection, construction, or maintenance to conform to the regulations prescribed therefor.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for four successive weeks, on the following dates: July 17, 24, 31 and August 7, 1973 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 10th day of August, 1973.

EUGENE S. McCLINTIC,
Notary Public.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 886. Local Legislation No. 1.
- S. 892. Local Legislation No. 1.
- S. 893. Local Legislation No. 1.
- S. 895. Local Legislation No. 1.
- S. 924. Local Legislation No. 1.
- S. 887. Local Legislation No. 1.
- S. 885. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originate and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Cook and Bailes (By Request):

S. 253. To authorize the Director of Finance, the Director of the Alabama Development Office, the State Treasurer and the Executive Secretary to the Governor to become a public corporation for the purpose of acquiring land for, and erecting, constructing, maintaining, operating and leasing thereon, a products market, exhibition halls, buildings and other related structures and facilities in Jefferson County, Alabama, where products and goods may be displayed to encourage the buying and selling of such products and goods, to encourage the expansion of existing industries in Alabama, to encourage the location of new industries in Alabama and to foster and encourage the growth of the general economy of Alabama; to provide the procedure for incorporation and to designate the members, directors and officers of the Authority; to provide for the establishment in Jefferson County, Alabama, of a products market to be known as the Southern Products Mart Authority; to prescribe the powers of the Authority, including the power to acquire real estate and to acquire, erect, construct, insure, maintain, manage, operate and lease thereon, facilities, buildings, warehouses, storage facilities, exhibition halls, parking areas and other structures and appurtenances of every kind and character used or useful by the Authority for its purposes, to exercise the power of eminent domain, and the power to sell and issue not exceeding twenty million dollars principal amount of bonds for such purposes; to specify certain provisions to be contained in the bonds and the execution and sale of such bonds; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues, receipts and income of the Authority and shall not create an obligation or debt of the State or any political subdivision thereof other than the Authority; to provide that any bonds issued by the Authority may be used as security for the deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to specify the application of the revenues, receipts and income of the Authority; to provide for the construction and equipment of the buildings and facilities of the Authority; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues, receipts and income from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues, receipts and income which filing will constitute notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to or by any person as defined in the act, including the state or any political subdivision thereof, any agency or board of the state, any municipality or body politic, of space for occupancy on the premises or in the buildings or other structures of the Authority; to provide for the audit of books and accounts of the Authority; to provide for competitive bidding on construction contracts; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; to provide for and limit remedies in the event of any default; to provide for dissolution of said Authority and conveyance of its assets and properties to the state upon payment of said bonds; to provide that the pro-

visions of this act shall be severable; and to provide for a date upon which this act shall become effective.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 253. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Weaver:

S. 850. Relating to all counties having populations of not less than 65,000 nor more than 68,000, according to the most recent federal decennial census; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations; validating, ratifying and confirming all prior deposits of such fines and forfeitures; repealing all conflicting laws and parts of laws general, local and special.

Also:

By Mr. Weaver:

S. 861. To create the office of county license inspector in all counties of this state having a population of not less than 65,000 or more than 68,000 inhabitants, according to the last or any subsequent Federal decennial census, and to provide for the appointment of a license inspector, fix his compensation, prescribe his duties and define his powers, and provide for the operation of his office.

Also:

By Mr. Weaver:

S. 862. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salaries of certain deputies in the office of the sheriff.

Also:

By Mr. Weaver:

S. 864. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation and expenses of the judge of the county court in such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 850. Local Legislation No. 1.
- S. 861. Local Legislation No. 1.
- S. 862. Local Legislation No. 1.
- S. 864. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Dozier:

S. J. R. 90. RESOLUTION NAMING THE UNIVERSITY CENTER BUILDING AT TROY STATE UNIVERSITY THE RALPH W. ADAMS BUILDING.

WHEREAS, Dr. Ralph W. Adams has supervised with brilliance and diligence during the past nine years the unprecedented improvements which have made Troy State University a nationally recognized educational center; and

WHEREAS, the students and the faculty of Troy State University have benefited greatly from the increased stature and status of the University under his guidance; and

WHEREAS, it is both fitting and proper that such extraordinary leadership be publicly recognized with the greatest possible degree of permanence; now therefore;

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the new University Center Building at Troy State University be henceforth named the Ralph W. Adams Building, as a fitting tribute to the significant contributions he has made toward the development of the University.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Dr. Ralph W. Adams.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 90, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has reconsidered the Bill:

H. 377. Relating to counties of 500,000 or more; to authorize the distillation, manufacture or making of any alcoholic spirituous, vinous or otherwise alcoholic beverages and malt and brewed beverages in such county.

And said Bill, H. B. 377, was again read at length and passed, the Governor's objections to the contrary notwithstanding, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 22 Nays 4.

And said Bill, H. B. 377, together with the Governor's Message containing his objections, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 314. Relating to motor vehicles: To provide means for the recovery of stolen motor vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State Department of Revenue; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon; to grant certain powers and authority to and impose certain duties on the State Department of Revenue and to impose penalties for violations of this Act; to appropriate funds to be used in the administrations of this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Merrill offered the motion that the House concur in and adopt the Senate amendment to the bill, H. 314, said Senate amendment being as follows:

Amendment to H. B. 314, as amended.

Amend Section 32 by deleting therefrom in the two places where it appears the following phrase:

“, or such other officer performing the duties of the probate judge,”

Amend Section 3 of H. B. 314 by adding thereto Section 3(i) which shall read as follows:

“(i) mobile homes and mobile trailers”

Amend Section 31 by deleting subsection (a) (1) and substituting therefor the following: “(1) Each application for certificate of title. . . . \$4.00.”

Amend by deleting Section 32 and substituting therefor the following: “Section 32. Disposition of Fees. (a) From the fee received by the Department of Revenue for each application for certificate of title as provided in

Section 31 (a) (1) the Department shall remit \$1.00 to the county in which the application for certificate of title was prepared which sum shall be paid into the treasury of the county; provided however that in all counties where the probate judge, or such other officer performing the duties of the probate judge, is reimbursed on a fee basis instead of on a salary basis, then \$0.50 shall be paid to the probate judge, or such other officer performing the duties of the probate judge, and \$0.50 into the treasury of the county."

Amend Section 1, Subsection, (i) (1), page 2 to read as follows:

"(1) Every automobile, motorcycle, mobile trailer, semi-trailer, truck, truck tractor, trailer and other device which is self-propelled or drawn, in, upon or by which any person or property is or may be transported or drawn upon a public highway except such as is moved by animal power or used exclusively upon stationary rails or tracks;"

Amend House Bill 314 by adding the following:

"Section 32-A. Assessment of Motor Vehicle for Ad Valorem Taxes. No motor vehicle required to be titled under the provisions of this Act shall be assessed for ad valorem taxes by an tax assessor, Director of Revenue or other County official authorized and required by law to assess motor vehicles for ad valorem taxes unless the application therefor is accompanied by a copy of an application for a certificate of title to such vehicle, a certificate of title to such vehicle, a duplicate certificate of title to such vehicle where the original is held by a lienholder, or a copy of an application for a replacement certificate of title, provided, however, when the owner of a motor vehicle has complied with the provisions of this section in licensing a motor vehicle or having the license for a motor vehicle transferred to him this section shall not apply thereafter to the renewal of such license by such owner of such motor vehicle."

Amend Section 33 by striking Section 33 in its entirety and by substituting therefor the following:

"Section 33. Issuance of License Plates. No motor vehicle license (or license plate) may be issued and no motor vehicle license (or license plate) may be transferred for use on a motor vehicle required to be titled under this Act except on presentation by the owner to the Judge of Probate or other issuing officer, the copy of an application for a certificate of title to such vehicle, a certificate of title to such vehicle, a duplicate certificate of title to such vehicle where the original is held by a lienholder, or a copy of an application for a replacement certificate of title, provided however, when the owner of a motor vehicle has complied with the provisions of this section in licensing a motor vehicle or having the license for a motor vehicle transferred to him this section shall not apply thereafter to the renewal of such license by such owner of such motor vehicle."

SUBSTITUTE MOTION OFFERED

Mr. Warren offered the substitute motion that the House nonconcur in the Senate amendment to the bill, H. 314, and request a Committee on Conference.

MOTION TO TABLE LOST

The motion of Mr. Merrill to table the motion offered by Mr. Warren was lost.

Yeas 27; Nays 33.

Yeas:

Messrs.:	Cross	King	Porter
Agee	Downing	Lutz	Roberts
Bank	Fite	McDonald	St. John
Brassell	Grainger	Mathews	Smith (P)
Carnes	Hale	Merrill	Stokes
Chesnut	Hearn	Nettles	Turner
Cottingham	Hill	Parker	Wynot

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Nays:

Messrs.:	Connell	Jackson	Smith (K)
Adams	Crawford	Kinsey	Stubbs
Barkett	Crowe	McCorquodale	Therrell
Barron	Erdreich	Meeks	Timmons
Bassett	Goodwin	Owens	Turnham
Benton	Grey (D)	Reid (R)	Wallace
Bowers	Hardin	Reynolds	Warren
Carter	Headley	Slate	Wise
Cauthen	Hughes		

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SUBSTITUTE MOTION ADOPTED

The question was then on the substitute motion offered by Mr. Warren, that the House non-concur in the Senate amendment to the bill, H. 314, and request a Committee on Conference, and the substitute motion was adopted.

Yeas 49; Nays 14.

Yeas:

Messrs.:	Crowe	Kinsey	St. John
Adams	Doss	Lang	Slate
Agee	Easters	McCorquodale	Smith (K)
Barkett	Edwards	McDonald	Stokes
Barron	Ellis	Meeks	Stubbs
Benton	Goodwin	Naramore	Therrell
Bowers	Grey (D)	Owens	Timmons
Carter	Hardin	Parker	Turnham
Cauthen	Headley	Reid (R)	Wallace
Chesnut	Hearn	Reynolds	Warren
Collins	Hughes	Roberts	Williams
Connell	Jackson	Robertson	Wise
Crawford	King		

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Nays:

Messrs.:	Downing	Lutz	Smith (P)
Carnes	Grainger	Mathews	Taylor
Cottingham	Hale	Merrill	Wynot
Cross	Hill	Nettles	

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The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. Merrill, Casey, and Downing.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

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Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1725. Relating to counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census; to authorize the governing body of any such county to provide an expense allowance to the members of the county board of education.

Also:

H. 1371. To provide an additional expense allowance for the chairman and members of the County Commission of all counties having a population of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census.

Also:

H. 1870. To amend Section 1 of Act No. 114, H. 333, Regular Session 1967, (Acts 1967, p. 452), which relates to providing compensation and allowances of members of the Cleburne County governing body; so as to increase the monthly expense allowance of such body.

Also:

H. 1487. Relating to the twenty-seventh judicial circuit of Alabama, providing for two assistant district attorneys and for county supplement to the existing salary of the district attorney of said judicial circuit.

Also:

H. 1555. To create an Industrial Development Authority for Tuscaloosa County for the purpose of promoting industry and trade and the development of said county; to provide for the organization, powers, functions, duties and personnel of such Authority and to provide for the payment of the expenses of such Authority and for the compensation of its employees.

Also:

H. 1900. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Also:

H. 1152. To impose a twenty per cent (20%) tax on all alcoholic beverages purchased from the Alcoholic Beverage Control Board for the purpose of resale outside the police jurisdiction of any incorporated municipality located in any county having a population of not less than 60,000 nor more than 65,000.

Also:

H. 1521. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended, "An Act fixing the compensation of the deputy solicitor of Chambers County."

Also:

H. 1788. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing for the compensation of members of the jury commission in such counties.

Also:

H. 1790. Relating to counties having populations of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Also:

H. 1834. To provide for the creation of public corporations in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, as political subdivisions of such counties by initiation of city and county governments within such counties to acquire, enlarge, improve, expand, own, operate, lease and dispose of properties to the end that such corporations may be able to enhance the public health and welfare of said counties by providing for the disposal of solid wastes generated through sanitary landfills and other approved methods of disposal, to authorize the fixing and collection of charges and other fees for services rendered, to establish the procedure for incorporation through initiation of two or more participating governing bodies within such counties, to provide for the contents of the Certificate of Incorporation and to require approval thereof by the participating governing bodies, to provide for filing and approval of the Certificate of Incorporation by and with the judge of probate of such counties wherein the participating governing bodies function, to provide for the method of amending the Certificate of Incorporation, to provide for the government and management of the corporation through a Board of Directors, with designation of terms of office and providing for successor directors and allowing for officers and employees of the participating entities or governing bodies to serve as such, and to require no compensation for such directors except for reimbursement of actual expenses, to provide for the powers of the corporation, to exempt the corporation from usury laws and from taxation, to allow for investment of municipal and county funds in the obligations of the corporation, and to authorize appropriation of funds and conveyance of properties of participating entities to the corporation with or without compensation, to declare non-liability of participating entities for the obligations of the corporation, and to deny such as debts of such entities, to provide for the means of dissolution of the corporation, to exempt the corporation from payment of any taxes for the recording of documents with said judges of probate, to provide that the powers granted the corporation are cumulative and to express the non-limitation of powers of other state and governmental subdivisions, to provide for the severability of the provisions of the Act, and for its effective date, and to definitions and legislative interest.

Also:

H. 1791. Relating to the boards of education in counties having populations of not less than 14,000 nor more than 15,000, according to the most recent federal decennial census, providing an expense allowance for the superintendents of such boards, and providing daily compensation for members of such boards when such boards meet officially to transact business.

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Also:

H. 1882. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing an additional expense allowance for county superintendents of education.

Also:

H. 1787. To provide expense allowances for members of the county commission of all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census.

Also:

H. 1789. Relating to all counties having populations of not less than 16,245 nor more than 16,300; providing additional clerk hire allowances for the offices of the probate judge, tax assessor, tax collector and circuit clerk in such counties.

Also:

H. 1799. To repeal Section 11 of Act No. 25, H. 18, 1959 First Special Session, (1959 Acts, p. 54) entitled, "An Act Relating to Lawrence County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and other conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so as to eliminate the termination date of said tax and thereby make the tax levied in said Act permanent.

Also:

H. 1786. Relating to all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Also:

H. 1704. To authorize the Coosa County Commission to levy additional tax on persons, firms, and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County.

Also:

H. 1892. To amend Section 5 of Act No. 315, H. 390, 1971 Third Special Session (Acts of 1971, Vol. 5, Pages 4605, 4606) entitled, "Act Relating to counties having populations of not less than 36,500 nor more than 39,200; establishing the office of Warrant Clerk in each commissioners district in such county; and to provide for their appointment, tenure and compensation."

Also:

H. 1875. To authorize the Autauga County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 1862. Relating to all counties having a population of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit the sale of draft or keg beer in said county.

Also:

H. 1863. Relating to Macon County; to regulate the salary and appointment of the jailers employed by the Sheriff.

Also:

H. 1841. To propose and provide for the submission of an amendment to the Constitution of Alabama, to empower and authorize each municipality in Cleburne County to acquire and dispose of all kinds of property, to promote the development of the municipalities in Cleburne County and the location of new industries or businesses therein, to become a stockholder in any corporation, association or company, to lend its credit or grant public money and things of value in aid of individuals, firms, associations and corporations, to become indebted and issue and sell securities, to levy and collect a special ad valorem tax and to pledge to the payment of its securities the proceeds of such special tax and other incomes, to create a public corporation or authority and to delegate to such public corporation or authority all powers or authorities granted by such proposed amendment to such municipalities.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles has been publicly read by the Clerk, the reading at length hav-

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ing been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Malone:

S. J. R. 100. COMMENDING MISS GLADYS MARONA FOR A JOB WELL DONE.

Also:

By Mr. Shelby:

S. J. R. 92. COMMENDING PAUL DAVIS FOR HIS OUTSTANDING WORK IN THE FIELD OF JOURNALISM.

Also:

By Mr. Shelby:

S. J. R. 91. HONORING JOHN SYDNEY COOK, JR.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolutions, S. J. R. 100, S. J. R. 92, and S. J. R. 91, on the Clerk's desk for one legislative day.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Turnham, the rules were suspended in order to bring up out of order the bill, H. 2105.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Hardin	May
Adams	Cross	Headley	Meeks
Agee	Crowe	Hobbie	Naramore
Barkett	Doss	Hughes	Owens
Barron	Downing	Jackson	Perloff
Bassett	Drake	King	Porter
Benton	Easters	Kinsey	Reed (T)
Boles	Edwards	Lang	Reid (R)
Bowers	Ellis	Lutz	Reynolds
Brassell	Fite	McBride	Roberts
Carnes	Goodwin	McCluskey	Robertson
Carter	Grainger	McCorquodale	St. John
Cauthen	Gray (F)	McDonald	Smith (K)
Chesnut	Grey (D)	McMillan	Smith (P)
Connell	Hale	Mathews	Stokes

Stubbs
Taylor
TherrellTimmons
Turner
TurnhamWaldrop
Wallace
WarrenWilliams
Wynot

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And the bill:

H. 2105. To name the bridge on Alabama Highway 10 between Alabama and Georgia the Buddy Crawford Bridge.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker
Adams
Agee
Barkett
Barron
Bassett
Benton
Boles
Bowers
Brassell
Callahan
Carnes
Carter
Cauthen
Chesnut
Connell
Coshatt
Cross
DossDowning
Drake
Easters
Edwards
Ellis
Fite
Goodwin
Grainger
Gray (F)
Grey (D)
Hale
Hardin
Headley
Hearn
Hobbie
Hughes
Jackson
King
KinseyLang
Lutz
McBride
McCluskey
McCorquodale
McDonald
McMillan
Mathews
May
Meeks
Naramore
O'Daniel
Owens
Perloff
Porter
Reed (T)
Reid (R)
Reynolds
RobertsRobertson
St. John
Slate
Smith (K)
Smith (P)
Stokes
Stubbs
Taylor
Therrell
Timmons
Turner
Turnham
Waggoner
Waldrop
Wallace
Warren
Williams
Wise
Wynot

—76

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all members voting "Yea" on the bill, H. 2105, to have their names added as co-sponsors.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 618. To authorize the Tax Assessor, Tax Collector, and Clerk of the Circuit Court, Judge of Probate Court and Judge of the Intermediate Court in all counties having a population of not less than 23,900 nor more than 24,450 to hire clerical assistants, to set the compensation of such assistants, and to provide that the salaries of such assistants be paid from the general funds of such Counties.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

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Gentlemen:

I herewith transmit to you a message from the Governor, returning Senate Bill No. 618, with a suggested Executive Amendment.

Respectfully submitted,
HARRY L. PENNINGTON,
Executive Secretary.

August 21, 1973

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

At the request of the sponsor, I am returning to you, the Body in which it originated, Senate Bill No. 618, without my approval and with the following suggested Executive Amendment:

Amend said bill by adding the words "Circuit Judge" after the words "and Clerk of the Circuit Court" where they appear in the title and in Section 1 of said bill.

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

August 21, 1973

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25; Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25; Nays 0.

And said Bill, S. B. 618, together with the Executive Amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Reynolds, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 618, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker
Adams
Agee

Bank
Barkett
Benton

Bowers
Brassell
Carnes

Carter
Cauthen
Chesnut

Connell	Grey (D)	McCorquodale	St. John
Crawford	Hale	McMillan	Slate
Cross	Hardin	Meeks	Smith (K)
Doss	Hearn	O'Daniel	Smith (P)
Downing	Hill	Parker	Stokes
Drake	Hughes	Perloff	Therrell
Easters	King	Porter	Timmons
Edwards	Kinsey	Reed (T)	Turner
Fite	Lutz	Reid (R)	Waldrop
Flippo	McBride	Roberts	Wallace
Grainger	McCluskey	Robertson	Williams
Gray (F)			

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Which was a majority of the whole number elected to the House.

And the bill:

S. 618. To authorize the Tax Assessor, Tax Collector, and Clerk of the Circuit Court, Circuit Judge, Judge of Probate Court and Judge of the Intermediate Court in all counties having a population of not less than 23,900 nor more than 24,450 to hire clerical assistants, to set the compensation of such assistants, and to provide that the salaries of such assistants be paid from the general funds of such Counties.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hughes	Reid (R)
Adams	Cross	Jackson	Roberts
Agee	Downing	King	Robertson
Bank	Drake	Kinsey	St. John
Barkett	Easters	Lutz	Slate
Benton	Edwards	McBride	Smith (K)
Boles	Ellis	McCorquodale	Stokes
Bowers	Fite	McDonald	Therrell
Brassell	Flippo	McMillan	Timmons
Callahan	Grainger	Meeks	Turner
Carnes	Gray (F)	O'Daniel	Turnham
Carter	Grey (D)	Parker	Waldrop
Cauthen	Hardin	Perloff	Wallace
Chesnut	Hearn	Porter	Williams
Connell	Hill	Reed (T)	Wynot

—60

Which was a majority of the whole number elected to the House.

MOTION TO RECONSIDER

Having voted on the prevailing side, Mr. Callahan moved to reconsider the vote by which the bill, H. 1572, was indefinitely postponed.

MOTION TO TABLE LOST

The motion of Mr. Cauthen to table the motion offered by Mr. Callahan was lost.

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Yeas 33; Nays 34.

Yeas:

Messrs.:	Chesnut	Kinsey	Reynolds
Barkett	Coshatt	McBride	Slate
Barron	Crawford	McCluskey	Smith (K)
Benton	Doss	May	Stokes
Boles	Easters	Meeks	Waldrop
Boutwell	Edwards	Naramore	Wallace
Carnes	Goodwin	O'Daniel	Warren
Casey	Grey (D)	Porter	Wise
Cauthen	Hughes		

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Nays:

Messrs.:	Downing	Hobbie	Roberts
Agee	Drake	King	St. John
Bowers	Edwards	Lutz	Stubbs
Callahan	Flippo	McCorquodale	Therrell
Carter	Grainger	McMillan	Timmons
Collins	Hale	McNair	Turner
Connell	Headley	Nettles	Turnham
Cottingham	Hearn	Owens	Waggoner
Cross	Hill	Reed (T)	

—34

MOTION TO RECONSIDER LOST

The question was then on the motion offered by Mr. Callahan to reconsider the vote by which the bill, H. 1572, was indefinitely postponed, and the motion was lost.

Yeas 34; Nays 36.

Yeas:

Messrs.:	Cottingham	Hobbie	Roberts
Agee	Cross	King	Robertson
Boutwell	Downing	Lutz	St. John
Bowers	Drake	McCorquodale	Stubbs
Brassell	Edwards	McDonald	Timmons
Callahan	Grainger	McMillan	Turner
Carter	Hale	McNair	Turnham
Collins	Headley	Nettles	Waggoner
Connell	Hill	Owens	

—34

Nays:

Messrs.:	Crawford	Hughes	Reid (R)
Barkett	Easters	Kinsey	Reynolds
Barron	Ellis	McBride	Slate
Benton	Fite	McCluskey	Smith (K)
Boles	Flippo	May	Stokes
Carnes	Gafford	Meeks	Waldrop
Casey	Goodwin	Naramore	Wallace
Cauthen	Grey (D)	O'Daniel	Warren
Chesnut	Hearn	Porter	Wise
Coshatt			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1300. To amend Section 4 of Act No. 1292, H. 1795, Regular Session (Acts 1971, p. 2220) providing for the office of commissioner and deputy commissioner of licenses in counties having a population of not less than one hundred fifteen thousand and not more than one hundred fifty thousand according to the last or any subsequent decennial federal census, so as to provide for the establishment of the deputy commissioner's salary, require such commissioner to be bonded, and take an oath of office.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Robertson, the House concurred in and adopted the Senate amendment to the bill, H. 1300, said Senate amendment being as follows:

In Section 1 of the bill strike out the words and figures in Section 4 of Act No. 1292, H. 1795, (Acts 1971, p. 2220) as they appear in the amendment as follows:

"Said deputy commissioner shall be paid an annual compensation equal to 72½ percent of," and insert in lieu thereof the following:

Said deputy commissioner shall be paid an annual compensation of one thousand dollars (\$1,000.00) less than

Yeas 60, Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reed (T)
Barkett	Downing	Jackson	Reid (R)
Barron	Drake	King	Roberts
Bassett	Edwards	Lutz	St. John
Boles	Ellis	McBride	Smith (K)
Boutwell	Erdreich	McCluskey	Smith (P)
Bowers	Fite	McDonald	Stubbs
Brassell	Gafford	McMillan	Therrell
Carnes	Goodwin	McNair	Timmons
Carter	Grainger	Mathews	Turnham
Casey	Gray (F)	May	Waggoner
Cauthen	Gray (D)	Meeks	Waldrop
Chesnut	Hardin	Naramore	Wallace
Collins	Hearn	Nettles	Williams
Cross	Hill	Porter	Wynot

—60

H. 1300 TEMPORARILY POSTPONED

On motion of Mr. Parker, the bill, H. 1300 as amended, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

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H. 1843. Relating to any county having a population of not less than 90,000 nor more than 100,000 according to the last or any subsequent federal decennial census, providing for cost of living raises for county employees and an allowance for county officers.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Carnes, the House concurred in and adopted the Senate amendment to the bill, H. 1843, said Senate amendment being as follows:

Amend Section 5 of H. B. 1843 to read as follows:

Section 5. In all counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census, all elected or appointed county officials shall receive an expense allowance in accordance with the provisions of Sections 6, 7 and 8 of this act to cover the expenses associated with their offices. "Elected or appointed county officers" is to be interpreted so as to include persons who might otherwise be considered state officers and whose salaries are paid fully or partially by the state, but who are elected by or appointed by persons elected by the electors of such counties and whose salaries are set by local act or by general act of local application. "Elected or appointed county officers" shall not be interpreted to include the county superintendent of education, members of the county board of education, or any employee of the county board of education, nor shall same be deemed to include any attorney, engineer, architect or other professional consultant employed on a part time basis by any county board or body, or the members of any appointed board. There shall be a conclusive presumption of law that there is a reasonable relationship between the allowances received in accordance with the provisions hereof and the expenses associated with the offices of the persons receiving such allowances.

Amend Section 8 of H. B. 1843 by deleting the "period" at the end thereof and substituting in lieu therefor the following:

"; provided further, that in the event that a general act increasing the state salary of circuit judges should pass during the 1973 Regular Session, then circuit judges shall receive no allowance of any kind pursuant to the provisions of this act, nor shall the county judge, district attorney or probate judge."

McDOWELL LEE,
Secretary.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Crowe	Grainger
Adams	Bowers	Downing	Gray (F)
Adwell	Brassell	Drake	Grey (D)
Agee	Carnes	Easters	Hale
Barkett	Carter	Ellis	Hardin
Barron	Casey	Erdreich	Headley
Bassett	Chesnut	Fite	Hearn
Benton	Crawford	Gafford	Hughes
Boles	Cross	Goodwin	Jackson

King	May	Roberts	Timmons
Kinsey	Meeks	Robertson	Turnham
Lutz	Naramore	St. John	Waggoner
McBride	Nettles	Smith (K)	Waldrop
McDonald	O'Daniel	Smith (P)	Wallace
McMillan	Porter	Stokes	Warren
McNair	Reed (T)	Stubbs	Wise
Mathews	Reynolds	Therrell	Wynot

—68

And the bill, H. 1843 as thus amended, was again read at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Doss	Hughes	Reid (R)
Adams	Downing	Jackson	Reynolds
Agee	Drake	King	Roberts
Barkett	Easters	Kinsey	Robertson
Barron	Edwards	Lutz	St. John
Bassett	Ellis	McBride	Smith (K)
Benton	Erdreich	McDonald	Smith (P)
Boles	Fite	McMillan	Stokes
Boutwell	Flippo	McNair	Stubbs
Bowers	Gafford	Mathews	Therrell
Brassell	Goodwin	May	Timmons
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Naramore	Waldrop
Casey	Grey (D)	Nettles	Wallace
Chesnut	Hale	O'Daniel	Warren
Connell	Hardin	Owens	Williams
Crawford	Headley	Porter	Wise
Cross	Hearn	Reed (T)	Wynot
Crowe			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1592. To amend Act No. 222, H. 189, Third Special Session 1971 (Acts 1971, p. 4490), which act provides additional compensation for members of the Board of Registrars in certain counties based on population, so as to provide further for the compensation of members of such boards.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Ellis, the House non-concurred in the Senate amendment to the bill, H. 1592, said Senate amendment being as follows:

Amend H. B. 1592 in Section 1 by deleting the figures "\$30.00" and inserting in lieu thereof the figures "\$27.50".

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Yeas 70; Nays 0.

Yeas:

Messrs.:	Coshatt	Hearn	Reid (R)
Adams	Crawford	Hill	Reynolds
Agee	Cross	Hughes	Roberts
Barkett	Doss	Jackson	Robertson
Barron	Downing	King	St. John
Bassett	Drake	Kinsey	Smith (K)
Benton	Easters	Lutz	Stokes
Boles	Edwards	McBride	Stubbs
Boutwell	Ellis	McMillan	Taylor
Bowers	Erdreich	McNair	Therrell
Brassell	Fite	Mathews	Timmons
Burgess	Flippo	May	Turnham
Callahan	Gafford	Meeks	Waldrop
Carnes	Goodwin	Naramore	Wallace
Carter	Grainger	Nettles	Williams
Casey	Gray (F)	O'Daniel	Wise
Chesnut	Hardin	Porter	Wynot
Connell	Headley	Reed (T)	

—70

On motion of Mr. Ellis, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 1592.

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. Ellis, Gafford and Boles.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1596. Relating to counties with a population of not less than 57,000 nor more than 61,000; prohibiting operation of vehicles upon coastal sand dunes located 50 feet or further from the water line without written permission of the landowner; providing punishment for violation of this act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Kinsey, the House concurred in and adopted the Senate amendment to the bill, H. 1596, said Senate amendment being as follows:

Amend House Bill 1596 by changing the numbers of Sections 4 and 5 to 5 and 6, respectively, and by adding after Section 3 the following:

"Section 4. The provisions of this Act shall not apply to vehicles operated by a utility or its agents in the construction, maintenance, or repair of utility facilities or rights-of-way located on or near such beaches or sand dunes."

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	Reid (R)
Adams	Crowe	Hughes	Reynolds
Barkett	Downing	Jackson	Roberts
Bassett	Drake	King	Robertson
Benton	Easters	Kinsey	St. John
Boles	Edwards	Lutz	Slate
Boutwell	Ellis	McBride	Smith (K)
Bowers	Erdreich	McMillan	Smith (P)
Brassell	Fite	McNair	Stokes
Burgess	Flippo	Mathews	Stubbs
Callahan	Gafford	May	Therrell
Carnes	Goodwin	Meeks	Timmons
Carter	Grainger	Naramore	Turnham
Casey	Gray (F)	Nettles	Waldrop
Cauthen	Grey (D)	O'Daniel	Wallace
Chesnut	Hardin	Owens	Williams
Connell	Headley	Porter	Wise
Coshatt	Hearn	Reed (T)	Wynot
Crawford			

—73

And the bill, H. 1596 as thus amended, was again read at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hill	Reid (R)
Adams	Cross	Hughes	Reynolds
Agee	Crowe	Jackson	Roberts
Barkett	Doss	King	Robertson
Barron	Downing	Kinsey	St. John
Bassett	Drake	Lutz	Slate
Benton	Easters	McBride	Smith (K)
Boles	Edwards	McDonald	Smith (P)
Boutwell	Ellis	McMillan	Stokes
Bowers	Erdreich	McNair	Stubbs
Brassell	Fite	Mathews	Therrell
Burgess	Flippo	May	Timmons
Callahan	Gafford	Meeks	Turnham
Carnes	Goodwin	Naramore	Waldrop
Carter	Grainger	Nettles	Wallace
Casey	Gray (F)	O'Daniel	Warren
Cauthen	Grey (D)	Owens	Williams
Chesnut	Hardin	Porter	Wise
Connell	Headley	Reed (T)	Wynot
Coshatt	Hearn		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1575. Relating to inferior court judges of Jefferson County; authorizing such judges to elect to assume supernumerary status; prescribing the

procedure for such election, and prescribing qualifications and conditions necessary for such judges to become supernumeraries; providing for their compensation, and repealing conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Doss, the House concurred in and adopted the Senate amendment to the bill, H. 1575, said Senate amendment being as follows:

Amend House Bill 1575 by inserting new Sections 4 and 5 at the end of Section 3 and renumbering the present Section 4 as Section 6 and renumbering the remaining sections. The new Sections 4 and 5 shall read as follows:

Section 4. Any judge becoming eligible for supernumerary status under the provisions hereof who is also a member of The General Retirement System for Employees of Jefferson County shall not be entitled to receive benefits under both the provisions hereof and said retirement system, but must make an election as to whether he will become a supernumerary judge under the provisions hereof, such election to be made prior to his receiving benefits under this Act.

Section 5. Any judge who is a member of said retirement system who elects to come under the provisions of this Act shall be paid, upon application therefor, the full amount of his deposits and contributions to the fund of said retirement system, less one-half any disability benefits paid to him thereunder. He shall not receive any interest for the period during which his deposits and contributions remain in said fund.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hughes	Reid (R)
Adams	Cross	Jackson	Reynolds
Agee	Crowe	King	Roberts
Barkett	Doss	Kinsey	Robertson
Barron	Drake	Lutz	St. John
Bassett	Edwards	McBride	Slate
Benton	Ellis	McDonald	Smith (K)
Boles	Erdreich	McMillan	Smith (P)
Boutwell	Fite	McNair	Therrell
Bowers	Flippo	Mathews	Timmons
Brassell	Gafford	May	Turner
Callahan	Goodwin	Meeks	Turnham
Carnes	Grainger	Naramore	Waggoner
Carter	Gray (F)	Nettles	Waldrop
Casey	Grey (D)	O'Daniel	Wallace
Cauthen	Hardin	Owens	Warren
Chesnut	Hearn	Porter	Williams
Coshatt	Hill	Reed (T)	Wise

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And the bill, H. 1575 as thus amended, was again read at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	Porter
Adams	Crowe	Hughes	Reid (R)
Agee	Doss	Jackson	Reynolds
Barkett	Downing	King	Roberts
Barron	Drake	Kinsey	St. John
Benton	Edwards	Lutz	Slate
Boutwell	Ellis	McBride	Smith (K)
Bowers	Erdreich	McDonald	Smith (P)
Brassell	Fite	McMillan	Stokes
Callahan	Flippo	McNair	Therrell
Carnes	Gafford	Mathews	Turner
Carter	Goodwin	May	Turnham
Casey	Grainger	Meeks	Waldrop
Cauthen	Gray (F)	Naramore	Warren
Chesnut	Grey (D)	O'Daniel	Williams
Coshatt	Hale	Owens	Wise
Cottingham	Hearn		

—66

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1706. Relating to Bibb County; to amend Act No. 866, H. 1194, Regular Session 1969 (Acts 1969, p. 1577), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff and to provide an additional deputy for said sheriff.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Owens, the House concurred in and adopted the Senate amendment to the bill, H. 1706, said Senate amendment being as follows:

In the paragraph in Section 1 beginning with the words "Section 3" delete the figures: "\$625.00," and insert in lieu thereof the figures: \$425.00

Also, in the paragraph beginning with the words "Section 5" delete the figures: "\$350.00," and insert in lieu thereof the figures: \$300.00

Also, in the paragraph beginning with the words "Section 6" delete the words and figures: "\$350.00 nor more than \$600.00" and insert in lieu thereof the words and figures: \$150.00 nor more than \$500.00

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Benton	Carnes	Connell
Adams	Boles	Carter	Coshatt
Agee	Boutwell	Casey	Cottingham
Barkett	Brassell	Cauthen	Cross
Barron	Callahan	Chesnut	Crowe

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Doss	Hill	Meeks	Slate
Downing	Hobbie	Naramore	Smith (K)
Drake	Hughes	Nettles	Smith (P)
Edwards	Jackson	O'Daniel	Timmons
Ellis	King	Owens	Turner
Erdreich	Kinsey	Porter	Turnham
Fite	Lutz	Reed (T)	Waldrop
Flippo	McBride	Reid (R)	Wallace
Goodwin	McDonald	Reynolds	Warren
Grainger	McMillan	Roberts	Williams
Gray (F)	McNair	Robertson	Wise
Grey (D)	Mathews	St. John	Wynot
Hearn	May		

—70

And the bill, H. 1706 as thus amended, was again read at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	King	Roberts
Agee	Downing	Kinsey	Robertson
Barkett	Drake	Lutz	St. John
Barron	Edwards	McBride	Slate
Benton	Ellis	McCluskey	Smith (K)
Boles	Erdreich	McDonald	Smith (P)
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Therrell
Brassell	Flippo	Mathews	Timmons
Callahan	Goodwin	May	Turner
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Naramore	Waldrop
Casey	Grey (D)	Nettles	Wallace
Cauthen	Hale	O'Daniel	Warren
Chesnut	Hearn	Owens	Williams
Connell	Hill	Porter	Wise
Coshatt	Hobbie	Reed (T)	Wynot
Cottingham	Hughes	Reid (R)	

—75

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1752. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service and compensation of members of the Board of Equalization and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Waggoner, the House concurred in and adopted the Senate amendment to the bill, H. 1752, said Senate amendment being as follows:

Amend Section 1 of H. B. 1752 by deleting the words and figures "twenty-one thousand five hundred dollars (\$21,500)" and insert in lieu thereof "nineteen thousand four hundred and twenty-five dollars (\$19,425)".

Further amend Section 1 of H. B. 1752 by deleting the words and figures "twenty-three thousand dollars (\$23,000)" and insert in lieu thereof "twenty-one thousand ninety dollars (\$21,090)".

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Reynolds
Adams	Crowe	King	Roberts
Agee	Doss	Kinsey	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Slate
Benton	Edwards	McCluskey	Smith (K)
Boles	Ellis	McDonald	Smith (P)
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Therrell
Brassell	Flippo	Mathews	Timmons
Callahan	Goodwin	May	Turner
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Naramore	Waggoner
Casey	Gray (D)	Nettles	Waldrop
Cauthen	Hale	O'Daniel	Wallace
Chesnut	Hearn	Owens	Warren
Collins	Hill	Porter	Williams
Connell	Hobbie	Reed (T)	Wise
Coshatt	Hughes	Reid (R)	Wynot
Cottingham			

—77

And the bill, H. 1752 as thus amended, was again read at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson	Reid (R)
Adams	Downing	King	Reynolds
Agee	Drake	Kinsey	Roberts
Barron	Edwards	Lutz	St. John
Benton	Ellis	McBride	Slate
Boles	Erdreich	McCluskey	Smith (K)
Boutwell	Falkenburg	McDonald	Smith (P)
Bowers	Fite	McMillan	Stokes
Brassell	Flippo	McNair	Therrell
Callahan	Goodwin	Mathews	Timmons
Carnes	Grainger	May	Turner
Carter	Gray (F)	Meeks	Turnham
Casey	Gray (D)	Naramore	Waldrop
Cauthen	Hale	Nettles	Wallace
Chesnut	Hearn	O'Daniel	Warren
Connell	Hill	Owens	Williams
Cottingham	Hobbie	Porter	Wise
Crawford	Hughes	Reed (T)	Wynot
Cross			

—73

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1456. To amend the Title and Section 1 of Act No. 77 of the First Special Session 1964, providing for and fixing an allowance for expenses for the mayor or other chief executive officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

McDOWELL LEE,
Secretary.

SENATE AMENDMENT

On motion of Mr. Doss, the House concurred in and adopted the Senate amendment to the bill, H. 1456, said Senate amendment being as follows:

Amend H. B. 1456 by striking from the third line of the second page the word "not".

Yeas 73; Nays 0.

Yeas:

Messrs.:	Downing	Lutz	Robertson
Adams	Drake	McBride	St. John
Agee	Edwards	McCluskey	Slate
Barkett	Ellis	McDonald	Smith (K)
Barron	Falkenburg	McMillan	Smith (P)
Benton	Fite	McNair	Snell
Boles	Flippo	Mathews	Stokes
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Meeks	Timmons
Callahan	Gray (F)	Naramore	Turner
Carnes	Grey (D)	Nettles	Turnham
Carter	Hearn	O'Daniel	Waggoner
Casey	Hill	Owens	Waldrop
Cauthen	Hobbie	Porter	Wallace
Chesnut	Hughes	Reed (T)	Warren
Collins	Jackson	Reid (R)	Williams
Connell	King	Reynolds	Wise
Cottingham	Kinsey	Roberts	Wynot
Cross	Lang		

—73

And the bill, H. 1456 as thus amended, was again read at length and passed.

Yeas 73; Nays 0.

Yeas:

Messrs.:	Bowers	Chesnut	Edwards
Adams	Brassell	Collins	Ellis
Agee	Callahan	Connell	Erdreich
Barron	Carnes	Cross	Falkenburg
Benton	Carter	Doss	Fite
Boles	Casey	Downing	Flippo
Boutwell	Cauthen	Drake	Goodwin

Grainger	Lutz	Owens	Stokes
Gray (F)	McBride	Porter	Therrell
Grey (D)	McCluskey	Reed (T)	Timmons
Hale	McDonald	Reid (R)	Turner
Hearn	McMillan	Roberts	Turnham
Hill	McNair	Robertson	Waldrop
Hobbie	Mathews	St. John	Wallace
Hughes	May	Slate	Warren
Jackson	Meeks	Smith (K)	Williams
King	Naramore	Smith (P)	Wise
Kinsey	Nettles	Snell	Wynot
Lang	O'Daniel		

—73

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1852. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Boles, the House non-concurred in the Senate amendment to the bill, H. 1852, said Senate amendment being as follows:

Amend Section 1 of H. B. 1852 by deleting the words and figures "Twenty-Five Thousand Dollars (\$25,000.00)" and insert in lieu thereof the words and figures "Nineteen Thousand Five Hundred and Twenty Dollars (\$19,520.00)".

Yeas 66; Nays 0.

Yeas:

Messrs.:	Cross	Jackson	Reynolds
Agee	Doss	King	Roberts
Bassett	Downing	Lutz	Robertson
Benton	Edwards	McBride	St. John
Boles	Ellis	McCluskey	Smith (K)
Boutwell	Erdreich	McDonald	Smith (P)
Bowers	Falkenburg	McMillan	Snell
Brassell	Fite	McNair	Stokes
Callahan	Gafford	Mathews	Timmons
Carnes	Goodwin	May	Turner
Carter	Grainger	Meeks	Turnham
Casey	Gray (F)	Naramore	Waldrop
Cauthen	Grey (D)	O'Daniel	Wallace
Chesnut	Hale	Owens	Warren
Collins	Hardin	Porter	Wise
Connell	Hearn	Reed (T)	Wynot
Cottingham	Hughes	Reid (R)	

—66

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On motion of Mr. Boles, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 1852.

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. Boles, Doss and Ellis.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1400. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

McDOWELL LEE,
Secretary.

SENATE AMENDMENT

On motion of Mr. Coshatt, the House concurred in and adopted the Senate amendment to the bill, H. 1400, said Senate amendment being as follows:

In Section 1 delete the description in its entirety and insert in lieu thereof the following:

SE $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec. 28, Twp. 14 South, Range 2 East. SW $\frac{1}{4}$ of Sec. 28, and the SE $\frac{1}{4}$ of Sec. 29, all in Twp. 14 South, Range 2 East, LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY: Beginning at the Southeast corner, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 28, Twp. 14 South, Range 2 East and run thence north along $1\frac{1}{4}$ line to the northerly boundary of A. G. S. Railroad, said point being the Southeast corner of the James S. Jones property; thence westerly along said northerly boundary 472 feet more or less to southwest corner of said James S. Jones property; thence northerly along James S. Jones westerly boundary 600 feet more or less to the southerly boundary of U.S. 11 Highway; thence southwesterly along said boundary 2,790 feet, more or less, to the northeast corner of the M. C. Galbreath property, thence south along M. C. Galbreath easterly property line 208.7 feet to the south boundary of Sec. 29, Twp. 14 South, Range 2 East; thence east along said south line and the south line of Sec. 28, Twp. 14 South, Range 2 East to point of beginning, all in St. Clair County, Alabama.

Yeas 74; Nays 0.

Yeas:

Messrs.:	Carnes	Downing	Hale
Adams	Carter	Edwards	Hardin
Agee	Casey	Ellis	Hearn
Barron	Cauthen	Erdreich	Hill
Bassett	Chesnut	Falkenburg	Hobbie
Benton	Collins	Fite	Hughes
Boles	Connell	Flippo	Jackson
Boutwell	Coshatt	Goodwin	King
Bowers	Crawford	Grainger	Kinsey
Brassell	Cross	Gray (F)	Lutz
Callahan	Doss	Gray (D)	McBride

McCluskey	Owens	Slate	Waggoner
McDonald	Porter	Smith (K)	Waldrop
McMillan	Reed (T)	Smith (P)	Wallace
McNair	Reid (R)	Snell	Warren
Mathews	Reynolds	Stokes	Williams
May	Roberts	Therrell	Wise
Meeks	Robertson	Timmons	Wynot
O'Daniel	St. John	Turnham	

—74

And the bill, H. 1400 as thus amended, was again read at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Doss	Jackson	Roberts
Agee	Downing	King	Robertson
Barron	Edwards	Kinsey	St. John
Benton	Ellis	Lutz	Slate
Boles	Erdreich	McBride	Smith (K)
Boutwell	Falkenburg	McCluskey	Smith (P)
Bowers	Fite	McDonald	Snell
Brassell	Flippo	McMillan	Therrell
Callahan	Gafford	McNair	Timmons
Carnes	Goodwin	Mathews	Turnham
Carter	Grainger	May	Waggoner
Casey	Gray (F)	Meeks	Waldrop
Cauthen	Grey (D)	O'Daniel	Wallace
Chesnut	Hale	Owens	Williams
Collins	Hardin	Porter	Wise
Connell	Hearn	Reid (R)	Wynot
Crawford	Hill		

—70

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1207. To amend Section 4.06 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, Approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Boutwell, the House non-concurred in the Senate amendment to the bill, H. 1207, said Committee amendment being as follows:

Amend H. B. 1207 by inserting as the third sentence of subsection (9) of Section 4.06 the following:

"Provided, however, the compensation of each such employee shall not be in excess of \$21,500.00 per annum."

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Yeas 58; Nays 0.

Yeas:

Messrs.:	Cross	Hughes	Reynolds
Adams	Doss	Jackson	Roberts
Agee	Downing	King	Robertson
Barron	Edwards	Kinsey	St. John
Benton	Ellis	Lutz	Smith (K)
Boles	Falkenburg	McBride	Smith (P)
Brassell	Fite	McCluskey	Snell
Callahan	Gafford	McDonald	Timmons
Carnes	Goodwin	McMillan	Turnham
Carter	Grainger	McNair	Waldrop
Casey	Gray (F)	Meeks	Wallace
Chesnut	Grey (D)	Naramore	Williams
Collins	Hale	O'Daniel	Wise
Connell	Hardin	Owens	Wynot
Crawford	Hearn	Reid (R)	

—58

On motion of Mr. Boutwell, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 1207.

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. Boutwell, Adwell and Doss.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1817. To authorize and establish in Madison County, Alabama, the office of Warrant Magistrate; to provide for the appointment of a warrant magistrate and assistant warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment for same; to repeal conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hale, the House concurred in and adopted the Senate amendment to the bill, H. 1817, said Committee amendment being as follows:

Amend H. B. 1817 by deleting Section 2 and inserting in lieu thereof the following:

Section 2. Appointment; tenure of office. The presiding judge of the Madison County Court or any successor court created in lieu thereof shall appoint a warrant magistrate for said county.

Further amend H. B. 1817 by deleting subsection 5 d. and renumbering the subsequent subsection accordingly.

Also further amend the bill by deleting the first paragraph of subsection 5 e.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Reynolds
Adams	Doss	Jackson	Roberts
Agee	Downing	King	Robertson
Barron	Edwards	Lutz	St. John
Benton	Ellis	McBride	Slate
Boles	Falkenburg	McCluskey	Smith (K)
Boutwell	Fite	McDonald	Smith (P)
Brassell	Gafford	McMillan	Snell
Callahan	Goodwin	McNair	Stokes
Carnes	Grainger	Mathews	Therrell
Carter	Gray (F)	May	Turnham
Casey	Grey (D)	Meeks	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hearn	O'Daniel	Wallace
Collins	Hill	Owens	Williams
Connell	Hobbie	Reid (R)	Wynot

—64

And the bill, H. 1817 as thus amended, was again read at length and passed.

Yeas 63; Nays 0.

Yeas:

Messrs.:	Crawford	Jackson	Robertson
Adams	Cross	King	St. John
Agee	Downing	Kinsey	Slate
Barron	Edwards	Lutz	Smith (K)
Benton	Falkenburg	McBride	Smith (P)
Boles	Fite	McDonald	Snell
Boutwell	Gafford	McMillan	Stokes
Brassell	Goodwin	McNair	Therrell
Callahan	Grainger	May	Turnham
Carnes	Gray (F)	Meeks	Waggoner
Carter	Grey (D)	Naramore	Waldrop
Casey	Hardin	O'Daniel	Wallace
Cauthen	Hearn	Owens	Warren
Chesnut	Hill	Reid (R)	Williams
Collins	Hobbie	Reynolds	Wise
Connell	Hughes	Roberts	Wynot

—63

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1818. To provide an expense allowance for each circuit judge of the Twenty-Third Judicial Circuit; to repeal Section 4 of Act No. 232, H. 253, Second Special Session 1971 (Acts 1971, p. 4501).

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Grainger, the House concurred in and adopted the Senate amendment to the bill, H. 1818, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide an expense allowance for each circuit judge of the Twenty-third Judicial Circuit; to repeal Section 4 of Act No. 232, H. 253, Second Special Session 1971 (Acts 1971, p. 4501).

Be It Enacted by the Legislature of Alabama:

Section 1. Each of the circuit judges of the Twenty-third Judicial Circuit of this state shall receive an annual expense allowance for meals, travel and lodging expenses incurred by that official within the state while attending meetings and conferences intended to promote the skill and competence of the circuit judges, for educational programs designed to inform circuit judges, for professional dues and assessments, and professional journals; provided, however, that the expenditures hereby authorized shall not exceed \$1,500 per circuit judge and shall be paid out of the county general fund. Such expenses shall be in addition to any other salary, compensation, or allowance provided for by law to such circuit judges.

Section 2. Section 4 of Act No. 232, H. 253, Second Special Session 1971 (Acts 1971, p. 4501), which relates to expenditures by the Board of County Commissioners of counties having populations of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census, to assist the circuit judges of such counties, is hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 63; Nays 0.

Yeas:

Messrs.:	Crawford	Hughes	Reid (R)
Adams	Cross	Jackson	Roberts
Agee	Doss	King	Robertson
Barron	Downing	Kinsey	St. John
Benton	Falkenburg	Lutz	Slate
Boles	Fite	McBride	Snell
Boutwell	Flippo	McDonald	Stokes
Brassell	Goodwin	McMillan	Therrell
Callahan	Grainger	McNair	Turnham
Carnes	Gray (F)	Mathews	Waggoner
Carter	Grey (D)	May	Waldrop
Casey	Hale	Meeks	Wallace
Cauthen	Hardin	Naramore	Warren
Chesnut	Hearn	O'Daniel	Williams
Collins	Hill	Owens	Wise
Connell	Hobbie	Parker	Wynot

And the bill, H. 1818 as thus amended, was again read at length and passed.

Yeas 62; Nays 0.

Yeas:

Messrs.:	Crawford	Hobbie	Reid (R)
Adams	Cross	Hughes	Roberts
Agee	Doss	King	Robertson
Barkett	Downing	Kinsey	St. John
Barron	Edwards	Lutz	Slate
Benton	Ellis	McBride	Snell
Boles	Falkenburg	McCluskey	Stokes
Boutwell	Fite	McDonald	Therrell
Brassell	Gafford	McMillan	Turnham
Callahan	Goodwin	McNair	Waggoner
Carnes	Grainger	May	Waldrop
Carter	Gray (F)	Meeks	Warren
Casey	Grey (D)	Naramore	Williams
Cauthen	Hale	O'Daniel	Wise
Chesnut	Hardin	Owens	Wynot
Collins	Hearn	Parker	

—62

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1671. To create the office of commissioner of licenses in Houston County, Alabama, to provide for a more convenient and efficient method for the issuance of all licenses except marriage license, to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him, to amend Chapter 20, Title 51, Code of Alabama 1940, to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicles licenses tags, relative to assessing and collecting ad valorem taxes on motor vehicles, and repeal Section 835, Title 51, Code of Alabama 1940, to transfer to the commissioner of licenses the duties of the license inspector of such county, and to set out the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed and repealing conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Connell, the House concurred in and adopted the Senate amendment to the bill, H. 1671, said Senate amendment being as follows:

In Section 2 of the bill, as amended, strike out the following words and figures:

“who shall be elected at the next general election for any state officers held after the effective date of this act and each four years thereafter; and shall take office for a term of four years on the first Monday after the second

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Tuesday in January next succeeding their election and until their successors shall be elected and qualified."

And insert in lieu thereof the following words and figures:

who shall be elected at the next general election for any state officers held after the effective date of this act; and shall take office for a term of four years on the first Monday after the second Tuesday in January next succeeding his election, and upon taking office shall have access to all licenses except marriage licenses.

Also, strike out in its entirety Section 19 of the bill and insert in lieu thereof the following:

Section 19. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law, and shall expire and be null and void on the date of expiration of the four year term of office of the commissioner of licenses.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Robertson
Adams	Doss	Kinsey	St. John
Agee	Downing	Lutz	Slate
Barron	Edwards	McBride	Snell
Benton	Ellis	McDonald	Stokes
Boles	Falkenburg	McMillan	Taylor
Boutwell	Gafford	McNair	Therrell
Bowers	Goodwin	May	Turnham
Brassell	Grainger	Meeks	Waggoner
Callahan	Gray (F)	Naramore	Waldrop
Carnes	Grey (D)	O'Daniel	Wallace
Carter	Hale	Owens	Warren
Casey	Hardin	Porter	Williams
Cauthen	Hearn	Reid (R)	Wise
Chesnut	Hughes	Roberts	Wynot
Collins	Jackson		

—62

And the bill, H. 1671 as thus amended, was again read at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Grey (D)	May
Adams	Collins	Hale	Meeks
Agee	Crawford	Hardin	Naramore
Barron	Cross	Hearn	O'Daniel
Benton	Doss	Hughes	Owens
Boles	Downing	Jackson	Porter
Boutwell	Edwards	King	Reid (R)
Bowers	Ellis	Kinsey	Reynolds
Brassell	Falkenburg	Lutz	Roberts
Callahan	Fite	McBride	Robertson
Carnes	Gafford	McDonald	St. John
Carter	Goodwin	McMillan	Slate
Casey	Grainger	McNair	Snell
Cauthen	Gray (F)	Mathews	Stokes

Therrell
Timmons
TurnhamWaggoner
Waldrop
WallaceWarren
WilliamsWise
Wynot

—66

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 292. To prohibit a limit on the number of times that a person, otherwise qualified, may take the Alabama Bar Examination.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1819. To create two additional positions of Assistant District Attorney for the Twenty-third Judicial Circuit of Alabama. Applicable to the Twenty-third Judicial Circuit; to allow the appointment of two additional Assistant District Attorneys.

Also:

H. 1522. To establish an intermediate court in Madison County, Alabama, in lieu of all other intermediate or inferior courts created in lieu of justices of the peace heretofore created in said County, said court to be called the General Sessions Court of Madison County; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judges, Clerk, and other officers of said court; to fix the terms or tenure of office of the officers of said court and provide for their salaries and compensation and the methods of payment of same; to designate the officials to serve processes issued by said court, and define their duties and the duties of other officials with respect to said court; and, to otherwise provide for said court.

Also:

H. 996. To further amend Title 13, Section 187, Code of Alabama 1940, as amended, which provides for the appointment, compensation and duties of circuit court bailiffs, so as to provide for counties having a population of not less than 175,000 and not more than 300,000, according to the most recent federal decennial census, with three or more circuit judges, to increase the compensation of bailiffs without a law degree and to establish a rate of compensation for bailiffs with law degrees.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill to-wit:

H. 796. To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 70,000 nor more than 135,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

And finds same correctly enrolled with Executive Amendment.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1820. To fix the supplemental salaries of circuit judges in the Twenty-Third Judicial Circuit.

Also:

H. 1821. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in the Twenty-Third Judicial Circuit.

Also:

H. 1822. Relating to counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; To amend Title 11, Section 81, Code of Alabama 1940 as recompiled in 1958; to provide for collection of fees in certain misdemeanor cases where defendant pleads guilty.

Also:

H. 1310. Relating to all counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, exempting volunteer fire departments from the operation of the state sales and use taxes.

Also:

H. 1806. To provide that any city of the state having a population of not less than 6,728 and not more than 6,834 according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

Also:

H. 1859. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Perry County.

Also:

H. 1597. To create the office of commissioner of licenses in counties in Alabama having a population of not less than 54,500 and not more than 56,000 according to the last and any subsequent decennial federal census; to provide for a more convenient and efficient method for the issuance of all licenses except marriage licenses; to prescribe the powers, duties, and authority of the commissioner of licenses; to provide for the appointment of such com-

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missioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officers of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Also:

H.1904. Creating the office of Assistant District Attorney in the Thirty-seventh Judicial Circuit; and providing for his appointment, duties and compensation.

Also:

H. 1910. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to further provide for the classification of certain lunchroom employees of boards of education of such counties.

Also:

H. 1743. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, authorizing the governing bodies to pay all fees, dues and related expenses of membership in any professional organization to which the tax assessors, tax collectors, probate judges and license commissioners of such counties may belong.

Also:

H. 1739. To amend Act No. 30, Second Special Session 1971 (Acts 1971, p. 4163), which act relates to the appointment of a probate court clerk in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, so as to provide further for the compensation of said clerks within such counties.

Also:

H. 1911. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to provide that any county employee who has become a member and participates in the State Employees' Retirement System shall be allowed prior service credit for any time served as an employee of the State of Alabama prior to such membership.

Also:

H. 1626. To regulate salaries and expense accounts of certain public officials in St. Clair County; to become effective October 1, 1973 if approved by a referendum vote of the populace.

Also:

H. 1846. Relating to the 30th judicial circuit, allocating the state appropriation for deputy district attorney.

Also:

H. 1826. To alter or rearrange the boundary lines of the Town of Ashville, St. Clair County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Also:

H. 1486. Relating to the twenty-seventh judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for an additional secretarial assistant for the office of district attorney of said judicial circuit.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion of Mr. Fite, that the House adjourn until 12:00 o'clock noon, Tuesday, August 28, 1973, was lost.

Yeas 27; Nays 45.

Yeas:

Messrs.:	Doss	Goodwin	Mathews
Benton	Downing	Grey (D)	May
Brassell	Drake	King	O'Daniel
Callahan	Edwards	Kinsey	Reynolds
Casey	Ellis	McCorquodale	Smith (K)
Cauthen	Falkenburg	McDonald	Therrell
Crawford	Fite	McNair	Wallace

—27

Nays:

Messrs.:	Coshatt	McBride	Slate
Adams	Cottingham	McCluskey	Smith (P)
Adwell	Cross	McMillan	Snell
Agee	Grainger	Meeks	Stubbs
Bank	Hale	Merrill	Timmons
Barron	Hardin	Nettles	Turner
Bassett	Headley	Owens	Turnham
Boles	Hearn	Parker	Waggoner
Boutwell	Hobbie	Roberts	Waldrop
Bowers	Hughes	Robertson	Wise
Carnes	Jackson	St. John	Wynot
Carter	Lutz		

—45

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MOTION TO ADJOURN LOST

The motion of Mr. Reynolds, that the House adjourn until 2:00 o'clock P.M., Tuesday, August 28, 1973, was lost.

Yeas 28; Nays 48.

Yeas:

Messrs.:	Downing	Grey (D)	Perloff
Agee	Easters	Kinsey	Reid (R)
Barkett	Edwards	McCorquodale	Reynolds
Benton	Falkenburg	Mathews	Smith (K)
Brassell	Fite	May	Therrell
Callahan	Goodwin	Mims	Wallace
Casey	Gray (F)	O'Daniel	Warren
Crawford			—28

Nays:

Messrs.:	Cottingham	Jackson	Robertson
Adams	Cross	King	St. John
Adwell	Doss	Lutz	Slate
Bank	Ellis	McBride	Snell
Barron	Erdreich	McCluskey	Stubbs
Bassett	Grainger	McMillan	Timmons
Boles	Hale	McNair	Turner
Boutwell	Hardin	Meeks	Turnham
Bowers	Headley	Merrill	Waggoner
Carnes	Hearn	Owens	Waldrop
Carter	Hobbie	Parker	Wise
Chesnut	Hughes	Roberts	Wynot
Coshatt			—48

SPECIAL ORDER RESUMED

And the bill:

H. 300. To further amend Section 1 of Act No. 515 of the 1945 Regular Session of the Alabama Legislature (Title 55, Section 456, Code of Alabama 1940, Recompiled 1958), as amended, which relates to the definitions under the State employees' retirement to provide that "average final compensation" for such employees be computed on the basis of the best three years of the last ten years of creditable service.

Was read a third time at length and passed.

Yeas 80; Nays 1.

Yeas:

Messrs.:	Carter	Edwards	Hale
Adams	Casey	Ellis	Hardin
Agee	Cauthen	Erdreich	Headley
Barkett	Chesnut	Falkenburg	Hearn
Barron	Connell	Fite	Hill
Benton	Coshatt	Flippo	Hobbie
Boutwell	Cottingham	Gafford	Jackson
Bowers	Cross	Goodwin	Jones (F)
Brassell	Doss	Grainger	King
Callahan	Downing	Gray (F)	Kinsey
Carnes	Drake	Grey (D)	Lutz

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McBride	Naramore	St. John	Turner
McCluskey	O'Daniel	Slate	Turnham
McCorquodale	Owens	Smith (K)	Waggoner
McDonald	Porter	Smith (P)	Waldrop
McMillan	Reed (T)	Snell	Wallace
McNair	Reid (R)	Stubbs	Warren
Mathews	Reynolds	Taylor	Williams
May	Roberts	Therrell	Wise
Meeks	Robertson	Timmons	Wynot
Merrill			

—80

Nay: Mr. Crawford.

—1

RULE SUSPENDED

On motion of Mr. Hobbie, Rule 4(4) was suspended to permit the bill, H. 300, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

Yeas 70; Nays 3.

Yeas:

Messrs.:	Doss	Jones (F)	St. John
Adams	Downing	King	Slate
Agee	Drake	Kinsey	Smith (K)
Barkett	Edwards	Lutz	Smith (P)
Barron	Ellis	McBride	Snell
Boutwell	Fite	McCorquodale	Stubbs
Bowers	Flipppo	McDonald	Taylor
Brassell	Gafford	McMillan	Therrell
Callahan	Goodwin	McNair	Timmons
Carnes	Grainger	Mathews	Turner
Carter	Gray (F)	May	Turnham
Casey	Grey (D)	Meeks	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Headley	Owens	Wallace
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Reed (T)	Wise
Cottingham	Hobbie	Reid (R)	Wynot
Cross	Jackson	Roberts	

—70

Nays: Messrs. Adwell, Erdreich and Reynolds.

—3

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1715. To amend Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), which act provides for expense allowance for board of education members in Bibb County, so as to provide further for such expense allowance.

Also:

H. 1710. To alter, rearrange and extend the boundary lines and corporate limits of the City of Centreville, in Bibb County, Alabama.

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Also:

H. 1711. Relating to Bibb County, to authorize the jury commission to meet an additional 15 work days per year.

Also:

H. 1712. Relating to Bibb County; to provide that no claim presented to the Bibb County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Also:

H. 1716. Relating to Bibb County, to amend Act No. 1381, H. 2294, of the 1971 Regular Session (Acts 1971, p. 2327), which act provides for election of the members of the governing body of such county, so as to provide further for the monthly expense allowance of said members.

Also:

H. 1714. To change the method of compensating the probate judge, the circuit clerk, the register, the tax assessor and the tax collector of Bibb County, placing said officials on a salary basis; to provide that the fees, commissions and allowances provided such officials under the general law shall be paid into the county treasury; and providing for a clerk hire allowance for each of said officials.

Also:

H. 1713. To alter, rearrange and extend the boundary lines and corporate limits of the City of Brent, in Bibb County.

Also:

H. 1433. To allow the county commission of any county having a population of not less than 10,900 nor more than 11,500, according to the last or any subsequent federal decennial census to set the number and salary of employees in the office of the circuit clerk and register in chancery.

Also:

H. 1427. To provide for purging the lists of registered voters in Cleburne County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Also:

H. 1428. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and administrative assistance for the tax collector's office; and to establish the salaries of the above mentioned assistants.

Also:

H. 1429. Relating to Cleburne County, to authorize the governing body of that county to employ up to two persons to provide clerical and ad-

ministrative assistance for the tax assessor's office; and to establish the salaries of the above mentioned assistants.

Also:

H. 1439. Relating to Cleburne County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 1709. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Bibb County.

Also:

H. 1431. Proposing an amendment to the Constitution of Alabama relating to court costs and charges and to the compensation of certain officers of Cleburne County.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1437. To provide for purging the lists of registered voters in Randolph County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Also:

H. 1438. Relating to Randolph County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 1707. Relating to Bibb County, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

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Also:

H. 1708. To authorize the Bibb County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Also:

H. 1705. Relating to Bibb County, providing further for the compensation of the members of the governing body of said county.

Also:

H. 932. Relating to all counties having a population of not less than 50,000 nor more than 52,500, according to the most recent federal decennial census; to provide that cosmetology students may work in beauty shops under the supervision and control of licensed cosmetologists.

Also:

H. 1353. To establish, in Cullman County, a clerk of the intermediate court, to provide for a deputy clerk and assistant clerks in such office, to provide for salaries of such clerks and to provide for equipment and other necessary expenses for such office.

Also:

H. 1354. To authorize the governing body of Cullman County to provide for all help and equipment in the offices of the several officers in that county.

Also:

H. 1355. To authorize the county governing body of Cullman County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Also:

H. 1412. To alter, rearrange and extend the boundary lines and corporate limits of the City of Cullman in Cullman County.

Also:

H. 1742. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

Also:

H. 1842. To revise and re-enact Act No. 1504, S. 1103, Regular Session 1971, (Acts 1971, page 2589, Vol. IV), entitled "Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the fee for issu-

ance of a pistol permit by the sheriff, and providing for the disposition and use of such fees."

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Erdreich moved to reconsider the vote by which the Senate amendment to the bill, H. 314, was non-concurred in, and the motion was adopted.

Yeas 70; Nays 14.

Yeas:

Messrs.:	Doss	Kinsey	St. John
Adams	Downing	Lutz	Slate
Adwell	Drake	McCluskey	Smith (P)
Agee	Ellis	McCorquodale	Snell
Bank	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Mathews	Taylor
Burgess	Gafford	Meeks	Therrell
Callahan	Grainger	Merrill	Timmons
Carnes	Gray (F)	Nettles	Turner
Casey	Headley	O'Daniel	Turnham
Cauthen	Hearn	Owens	Waggoner
Chesnut	Hill	Parker	Waldrop
Collins	Hobbie	Perloff	Wallace
Coshatt	Hughes	Porter	Williams
Cottingham	Jackson	Roberts	Wise
Cross	King	Robertson	—70

Nays:

Messrs.:	Carter	Grey (D)	Reynolds
Barkett	Crawford	May	Smith (K)
Barron	Easters	Naramore	Warren
Benton	Goodwin	Reid (R)	—14

SUBSTITUTE MOTION RECONSIDRED

The substitute motion offered by Mr. Warren that the House non-concur in the Senate amendment to the bill, H. 314, and request a Committee on Conference, was again taken up and lost.

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Yeas 10; Nays 71.

Yeas:

Messrs.:	Benton	Grey (D)	Roberts	
Barkett	Crawford	Naramore	Warren	
Barron	Easters	Reynolds		—10

Nays:

Messrs.:	Cottingham	Jackson	Robertson	
Adams	Cross	King	St. John	
Adwell	Downing	Kinsey	Slate	
Agee	Drake	Lutz	Smith (P)	
Bank	Ellis	McBride	Snell	
Boles	Erdreich	McCluskey	Stewart	
Boutwell	Falkenburg	McCorquodale	Stokes	
Bowers	Fite	McDonald	Stubbs	
Brassell	Flippo	McMillan	Taylor	
Burgess	Gafford	Mathews	Therrell	
Callahan	Goodwin	Meeks	Timmons	
Carnes	Grainger	Merrill	Turner	
Carter	Gray (F)	Nettles	Turnham	
Casey	Headley	Owens	Waggoner	
Cauthen	Hearn	Parker	Waldrop	
Chesnut	Hill	Perloff	Wallace	
Collins	Hobbie	Porter	Wise	
Coshatt	Hughes	Reid (R)	Wynot	—71

The question was then on the motion offered by Mr. Merrill, that the House concur in and adopt the Senate amendment to the bill, H. 314, and the motion was adopted.

Yeas 68; Nays 10.

Yeas:

Messrs.:	Cross	Hughes	Roberts	
Adams	Doss	Jackson	Robertson	
Agee	Downing	King	St. John	
Bank	Drake	Kinsey	Slate	
Boles	Edwards	Lutz	Smith (P)	
Bowers	Ellis	McBride	Snell	
Brassell	Falkenburg	McCorquodale	Stewart	
Burgess	Fite	McDonald	Stokes	
Callahan	Flippo	Mathews	Stubbs	
Carnes	Gafford	Meeks	Therrell	
Carter	Grainger	Merrill	Timmons	
Casey	Gray (F)	Nettles	Turner	
Cauthen	Hardin	O'Daniel	Turnham	
Chesnut	Headley	Owens	Waggoner	
Collins	Hearn	Parker	Waldrop	
Coshatt	Hill	Perloff	Wallace	
Cottingham	Hobbie	Porter	Wynot	
Crawford				—68

Nays:

Messrs.:	Benton	Grey (D)	Warren	
Barkett	Crowe	Naramore	Wise	
Barron	Edwards	Smith (K)		—10

And the bill, H. 314 as thus amended, was again read at length and passed.

Yeas 80; Nays 6.

Yeas:

Messrs.:	Crowe	Jackson	Reynolds
Adams	Doss	King	Roberts
Agee	Downing	Kinsey	Robertson
Bank	Drake	Lutz	St. John
Bassett	Edwards	McBride	Slate
Boles	Ellis	McCluskey	Smith (K)
Boutwell	Erdreich	McDonald	Smith (P)
Bowers	Falkenburg	McMillan	Snell
Brassell	Fite	McNair	Stewart
Burgess	Flippo	Mathews	Stokes
Carnes	Goodwin	May	Stubbs
Carter	Grainger	Meeks	Taylor
Casey	Gray (F)	Merrill	Therrell
Cauthen	Grey (D)	Nettles	Timmons
Chesnut	Hardin	O'Daniel	Turner
Collins	Headley	Owens	Turnham
Connell	Hearn	Parker	Waggoner
Coshatt	Hill	Perloff	Waldrop
Cottingham	Hobbie	Porter	Wallace
Crawford	Hughes	Reid (R)	Wynot
Cross			

—80

Nays:

Messrs.:	Barron	Easters	Wise
Barkett	Benton	Warren	

—6

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. McClusky, the rules were suspended in order to bring up out of order the bill, H. 508.

Yeas 70; Nays 6.

Yeas:

Messrs.:	Cross	Hobbie	Reynolds
Adwell	Doss	Hughes	Robertson
Barkett	Downing	Jackson	St. John
Barron	Drake	King	Smith (K)
Boles	Edwards	Lutz	Stewart
Boutwell	Ellis	McCorquodale	Stokes
Bowers	Erdreich	McDonald	Stubbs
Brassell	Falkenburg	McMillan	Taylor
Burgess	Flippo	McNair	Therrell
Carnes	Gafford	Mathews	Timmons
Carter	Goodwin	May	Turner
Casey	Grainger	Meeks	Turnham
Chesnut	Gray (F)	Merrill	Waggoner
Collins	Grey (D)	Naramore	Waldrop
Connell	Hardin	Nettles	Wallace
Coshatt	Headley	O'Daniel	Warren
Cottingham	Hearn	Owens	Wise
Crawford	Hill	Porter	

—70

Nays:

Messrs.:
Adams

Benton
Cauthen

Fite
McBride

Slate

—6

And the bill:

H. 508. (With Substitute): To require the State Department of Pensions and Security to administer the Food Stamp Act of 1964, Public law 88-525, 88th Congress from funds appropriated to such Department for that purpose from the sales tax receipts; and to provide an effective date conditioned upon passage of an Act amending the distribution of the sales tax, Section 32, Act 100, Acts of Alabama, 1959, Page 298.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 32 of Act 100, H. 94, Acts of Alabama 1959, Volume 1, page 298, so as to change the phrase "old age assistance exclusively" to "general welfare purposes," and to distribute from the sales tax a sufficient sum for the counties to pay the cost of administering the Food Stamp Act of 1964, Public Law 88-525, 88th Congress, and amendments enacted thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 32 of Act 100, H. 94, Acts of Alabama 1959, Volume 1, page 298, effective October 1, 1959, is hereby amended to read as follows:

"Section 32. Such amount of money as shall be appropriated for each fiscal year by the legislature to the department of revenue with which to pay the salaries, the cost of operation and management of said department shall be deducted, as a first charge thereon, from the taxes collected under the provisions of this Act; provided, however, that the expenditure of said sum so appropriated shall be budgeted and allotted pursuant to Title 55, Article 3, Chapter 4, of the Code of Alabama 1940, and limited to the amount appropriated to defray the expenses of operating said department for each fiscal year. After the payment of the expenses, so much of the amount remaining as may be necessary, after first applying all sums of money received by reason of the application of the surplus in the income tax as provided by Section 424, Title 51, Code of Alabama 1940, for the replacement in the public school fund of the three-mill constitutional levy for schools and in the general fund of the one-mill levy for soldiers' relief and the two and one-half mills for general purpose lost by exemption of homestead provided for in this Act shall be first charges against the proceeds of said licenses, taxes, or receipts levied or collected under this Act. The comptroller, with the approval of the governor, is hereby directed to draw his warrants payable out of the total proceeds of said licenses taxes or receipts levied or collected under this Act as herein provided in such sum as shall be found necessary to take care of and replace the three-mill constitutional school levy, the one-mill soldiers' relief

levy and the two and one-half mill levy for general purposes of the state ad valorem taxes lost as above set forth. If the amounts of such collections in any fiscal year, remaining after the payment of the expenses of administration and replacement of the amounts in the several funds as herein provided, is equal to four million two hundred dollars, then the sum of three hundred seventy-eight thousand dollars shall be paid into the treasury to the credit of the sixty-seven counties of the state to be divided and distributed as hereinafter provided. If the amount of such collections in any fiscal year, remaining after the payment of expenses of administration, and the replacement of the amounts in the several funds derived from the state six and one-half mill tax, as herein provided, is less than four million two hundred thousand dollars, then an amount equal to nine percent thereof shall be paid into the treasury to the credit of the sixty-seven counties of the state to be divided and distributed as hereinafter provided. The amount deposited to the credit of the sixty-seven counties as above provided (which in no one fiscal year shall exceed nine percent of the amount of collections remaining after the payment of the expenses and charges herein first required to be paid, nor shall it in any event exceed the sum of three hundred seventy-eight thousand dollars for any one fiscal year) shall be divided and distributed proportionately among the sixty-seven counties of the state according to the population of the said counties as shown by the last federal census as proclaimed, published, or certified by the director of the bureau of the census; and one-half of said proceeds shall be divided or distributed equally among sixty-seven counties; provided that the funds divided and distributed to the several counties of the state as hereinabove provided for shall be used exclusively for full-time health service in co-operation with the State Board of Health or the federal government; and for extension services in co-operation with the Alabama agricultural extension service or the federal government, at the discretion of the commissioners court, boards of revenue, or other governing bodies of the several counties of the State. If the amounts of such collections in any fiscal year, after the payment of the expenses of administration and replacement of the amounts in the several funds as herein provided, is equal to four million two hundred thousand dollars, then the sum of six hundred seventy-two thousand dollars shall be paid into the treasury to the credit of the state department of public welfare to be used for general welfare purposes. If the amount of such collections in any fiscal year, remaining after the expenses of administration and the replacement of the amounts in the several funds derived from the state's six and one-half mills tax, as herein provided, is less than four million two hundred thousand dollars, then an amount equal to sixteen percent thereof shall be paid into the treasury to the credit of the state department of public welfare to be used for general welfare purposes. If the amount of such collections in any fiscal year, remaining after the payment of the expenses of administration and replacement of the amounts in the several funds as hereinabove provided and distributed, is greater than four million two hundred thousand dollars, then an amount equal to one-fourth of such excess shall be paid into the treasury to the credit of the state department of public welfare to be used for general welfare purposes; provided, however, that this one-fourth of such excess shall not exceed the sum of six hundred fifty thousand dollars per annum; and in addition, there shall be paid October 1, 1973, and on the first day of each fiscal quarter thereafter, to each county governing body electing to come under the food stamp program as may be authorized by the Food Stamp Act of 1964, Public Law 88-525, 88th Congress, and amendments thereto, an amount equal to four percent (4% of the value of coupons issued in such county in excess of the amount paid by recipients (bonus or free

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stamps) during the immediate prior fiscal quarter, which sum so appropriated shall be a reimbursement to the general fund of such county and shall in no event exceed the cost expended by such county for administration of such program during such prior fiscal quarter. The amount of the proceeds of all taxes levied by this Act remaining after the payment of the expenses of administration and enforcement and the replacement in the several funds of the amount lost by any homestead exemptions and the distribution to the counties as herein provided shall be paid into the Alabama special educational trust fund."

Section 2. This Act shall take effect October 1, 1973.

And the substitute was adopted.

Yeas 74; Nays 3.

Yeas:

Messrs.:	Crawford	Hill	Porter
Adams	Cross	Hobbie	Reid (R)
Adwell	Crowe	Hughes	Reynolds
Barkett	Doss	Jackson	Roberts
Barron	Downing	King	Robertson
Benton	Edwards	Kinsey	St. John
Boles	Ellis	Lutz	Smith (K)
Boutwell	Erdreich	McCorquodale	Smith (P)
Bowers	Falkenburg	McDonald	Stubbs
Brassell	Fite	McMillan	Taylor
Burgess	Flippo	McNair	Therrell
Carnes	Gafford	Mathews	Timmons
Carter	Goodwin	May	Turner
Casey	Grainger	Meeks	Waggoner
Chesnut	Gray (F)	Merrill	Waldrop
Collins	Grey (D)	Mims	Wallace
Connell	Hardin	Nettles	Warren
Coshatt	Headley	O'Daniel	Wise
Cottingham	Hearn	Owens	

—74

Nays: Messrs. Cauthen, McBride and Slate.

—3

And the bill:

H. 508. To amend Section 32 of Act 100, H. 94, Acts of Alabama 1959, Volume 1, page 298, so as to change the phrase "old age assistance exclusively" to "general welfare purposes," and to distribute from the sales tax a sufficient sum for the counties to pay the cost of administering the Food Stamp Act of 1964, Public Law 88-525, 88th Congress, and amendments enacted thereto.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 3.

Yeas:

Messrs.:	Barkett	Bowers	Chesnut
Adams	Barron	Brassell	Collins
Adwell	Bassett	Carnes	Connell
Agee	Boles	Carter	Coshatt
Bank	Boutwell	Casey	Cottingham

Crawford	Hardin	May	Smith (K)
Cross	Headley	Meeks	Smith (P)
Doss	Hearn	Merrill	Stokes
Downing	Hill	Mims	Stubbs
Drake	Hobbie	Nettles	Taylor
Edwards	Hughes	O'Daniel	Therrell
Ellis	Jackson	Owens	Timmons
Erdreich	King	Parker	Turner
Falkenburg	Kinsey	Porter	Turnham
Fite	Lutz	Reid (R)	Waggoner
Flippo	McCorquodale	Reynolds	Waldrop
Goodwin	McDonald	Roberts	Wallace
Grainger	McMillan	Robertson	Warren
Gray (F)	McNair	St. John	Wise
Gray (D)	Mathews		

—77

Nays: Messrs. Benton, Cauthen and McBride.

—3

MOTION TO ADJOURN LOST

The motion of Mr. McDonald that the House adjourn until 2:00 o'clock p.m., Tuesday, August 28, 1973, was lost.

Yeas 37; Nays 41.

Yeas:

Mr. Speaker	Doss	Kinsey	Reid (R)
Agee	Downing	McCorquodale	Reynolds
Barkett	Drake	McDonald	Smith (K)
Boles	Edwards	Mathews	Snell
Bowers	Fite	May	Stokes
Burgess	Goodwin	Meeks	Therrell
Casey	Gray (F)	Merrill	Wallace
Collins	Gray (D)	O'Daniel	Warren
Connell	Jackson	Perloff	Williams
Crawford			

—37

Nays:

Messrs.:	Ellis	McBride	Slate
Adams	Flippo	McMillan	Smith (P)
Bank	Grainger	McNair	Stubbs
Bassett	Hardin	Naramore	Timmons
Benton	Headley	Nettles	Turner
Carnes	Hearn	Owens	Turnham
Carter	Hill	Parker	Waggoner
Chesnut	Hobbie	Roberts	Waldrop
Coshatt	Hughes	Robertson	Wise
Cross	King	St. John	Wynot
Crowe	Lutz		

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BILLS ON THIRD READING RESUMED

And the bill:

S. 506. (With Substitute): To create the office of Ex-officio Judge of any County Court exercising original jurisdiction over general misdemeanors in Judicial Circuits composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people according to the last and any subsequent decennial Federal census; to prescribe the powers, duties and authority of the Ex-officio Judge; to provide for the appointment

of such Ex-officio Judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him, and to provide a Supervisory Board, and prescribe its authorities and responsibilities.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To create the office of Ex-officio Judge of any County Court exercising original jurisdiction over general misdemeanors in Judicial Circuits composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people according to the last and any subsequent decennial Federal census; to prescribe the powers, duties and authority of the Ex-officio Judge; to provide for the appointment of such Ex-officio Judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him, and to provide a Supervisory Board, and prescribe its authorities and responsibilities.

Be It Enacted by the Legislature of Alabama:

Section 1. In Judicial Circuits in Alabama composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people, according to the last or any subsequent decennial Federal census, the office of Ex-officio Judge of all county courts exercising original jurisdiction over general misdemeanors is hereby created.

Section 2. A Supervisory Board is hereby created. Said Supervisory Board shall be composed of all of the Circuit Judges of said County, the Judges of all county courts in said county, the Probate Judge of said county, the Public Defender of said county and the District Attorney of said county. The Chairman of this Supervisory Board shall be the Presiding Circuit Judge of said county. In addition to the duties and authorities of the Supervisory Board as elsewhere set out in this Act, it shall be the authority and duty of the Supervisory Board to advise the Ex-officio Judge in matters of law and to direct such officer in the general conduct of the office.

Section 3. The office of Ex-officio Judge shall be subject to the general supervision of the Supervisory Board, and such officer shall hold office subject to the provisions of the Civil Service or Merit System of the county.

Section 4. The Ex-officio Judge shall be an officer of the county, appointed by the Supervisory Board as other officers of the county subject to civil service or merit system of the county are chosen or appointed, except, however, that any such Ex-officio Judge holding such office at the time of the passage of this Act shall be the first such Ex-officio Judge under this Act, and shall be deemed to hold permanent status as such civil service or merit system officer.

Section 5. It shall be the duty of said Ex-officio Judge, or his duly and legally constituted assistant or assistants to issue legal process from said court, to take affidavits and to issue warrants of arrest returnable to such court, to examine complaints and witnesses and to examine into facts preliminary to

the issuance of a warrant of arrest as required by law, and to fix bail in all cases where a person charged with crime is entitled to bail under any warrant of arrest issued by him and to keep a record of all warrants handled by him as Ex-officio Judge. Said Ex-officio Judge or his duly and legally constituted assistant or assistants shall be such magistrates as have power and authority to issue search warrants.

Section 6. Suitable space and stationary, equipment, supplies and assistants necessary for the conduct of said office shall be furnished by the Board of County Commissioners, Board of Revenue, or like governing body of the County to the Ex-officio Judge.

Section 7. The Supervisory Board shall have the authority to recommend the salary or any increase or decrease thereof, but the Board of County Commissioners shall have the authority to set the salary or salaries in the customary manner. Provided, however, it shall not be less than \$11,000.00 nor more than \$16,000.00 per annum; which sum shall be paid from the general fund of the county in equal installments as salaries of other county officers are paid.

Section 8. The Supervisory Board is hereby empowered to recommend the employment of an assistant to the Ex-officio Judge, or as many such assistants to the Ex-officio Judge as the Supervisory Board may deem to be necessary and desirable, and such assistant or assistants to the Ex-officio Judge shall have the same power and authority as herein granted to the Ex-officio Judge in the absence of the Ex-officio Judge or when acting under the direction and supervision of the Ex-officio Judge. Such assistant or assistants may be full time or part time officials as said County Commissioners shall decide or deem advisable.

Section 9. The assistant or assistants for such Ex-officio Judge shall be covered by the civil service or merit system of such county.

Section 10. The assistant or assistants to the Ex-officio Judge shall receive such compensation as the County Commission shall deem to be reasonable and proper, and in this determination the County Commission shall be guided by, but not bound by, the recommendation of the Ex-officio Judge and the Supervisory Board. Such compensation shall be payable out of the general fund of the county as compensation or other county officers are paid.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

COMMITTEE SUBSTITUTE TABLED

On motion of Mr. Robertson, the substitute reported by the Standing Committee on Local Legislation No. 1 to the bill, S. 506, was tabled.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker
Adams
Agee

Barkett
Boles
Boutwell

Bowers
Burgess
Carnes

Carter
Casey
Cauthen

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Chesnut	Gray (F)	McMillan	Smith (P)
Cottingham	Hale	Mathews	Snell
Cross	Headley	May	Stokes
Crowe	Hearn	Meeks	Stubbs
Doss	Hill	Owens	Therrell
Downing	Hobbie	Perloff	Timmons
Drake	Hughes	Porter	Turnham
Edwards	Jackson	Reed (T)	Waggoner
Ellis	King	Reynolds	Waldrop
Erdreich	Kinsey	Robertson	Warren
Fite	Lutz	St. John	Williams
Flippo	McBride	Slate	Wise
Grainger	McDonald	Smith (K)	Wynot

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Mr. Parker offered the following substitute to the bill, S. 506.

To create the office of Ex-officio Judge of any County Court exercising original jurisdiction over general misdemeanors in Judicial Circuits composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people according to the last and any subsequent decennial Federal census; to prescribe the powers, duties and authority of the Ex-officio Judge; to provide for the appointment of such Ex-officio Judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him, and to provide a Supervisory Board, and prescribe its authorities and responsibilities.

Be It Enacted by the Legislature of Alabama:

Section 1. In Judicial Circuits in Alabama composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people, according to the last or any subsequent decennial Federal census, the office of Ex-officio Judge of all county courts exercising original jurisdiction over general misdemeanors is hereby created.

Section 2. A Supervisory Board is hereby created. Said Supervisory Board shall be composed of all of the Circuit Judges of said County, the Judges of all county courts in said county, the Probate Judge of said county, the Public Defender of said county and the District Attorney of said county. The Chairman of this Supervisory Board shall be the Presiding Circuit Judge of said county. In addition to the duties and authorities of the Supervisory Board as elsewhere set out in this Act, it shall be the authority and duty of the Supervisory Board to advise the Ex-officio Judge in matters of law and to direct such officer in the general conduct of the office.

Section 3. The office of Ex-officio Judge shall be subject to the general supervision of the Supervisory Board, and such officer shall hold office subject to the provisions of the Civil Service or Merit System of the county.

Section 4. The Ex-officio Judge shall be an officer of the county, appointed by the Supervisory Board as other officers of the county subject to civil service or merit system of the county are chosen or appointed, except, however, that any such Ex-officio Judge holding such office at the time of the passage of this Act shall be the first such Ex-officio Judge under this Act, and shall be deemed to hold permanent status as such civil service or merit system officer.

Section 5. It shall be the duty of said Ex-officio Judge, or his duly and legally constituted assistant or assistants to issue legal process from said court,

to take affidavits and to issue warrants of arrest returnable to such court, to examine complaints and witnesses and to examine into facts preliminary to the issuance of a warrant of arrest as required by law, and to fix bail in all cases where a person charged with crime is entitled to bail under any warrant of arrest issued by him and to keep a record of all warrants handled by him as Ex-officio Judge. Said Ex-officio Judge or his duly and legally constituted assistant or assistants shall be such magistrates as have power and authority to issue search warrants.

Section 6. Suitable space and stationary, equipment, supplies and assistants necessary for the conduct of said office shall be furnished by the Board of County Commissioners, Board of Revenue, or like governing body of the County to the Ex-officio Judge.

Section 7. The Supervisory Board shall have the authority to recommend the salary or any increase or decrease thereof, but the Board of County Commissioners shall have the authority to set the salary or salaries in the customary manner. Provided, however, it shall not be less than \$10,000.00 nor more than \$15,000.00 per annum; which sum shall be paid from the general fund of the county in equal installments as salaries of other county officers are paid.

Section 8. The Supervisory Board is hereby empowered to recommend the employment of an assistant to the Ex-officio Judge, or as many such assistants to the Ex-officio Judge as the Supervisory Board may deem to be necessary and desirable, and such assistant or assistants to the Ex-officio Judge shall have the same power and authority as herein granted to the Ex-officio Judge in the absence of the Ex-officio Judge or when acting under the direction and supervision of the Ex-officio Judge. Such assistant or assistants may be full time or part time officials as said County Commissioners shall decide or deem advisable.

Section 9. The assistant or assistants for such Ex-officio Judge shall be covered by the civil service or merit system of such county.

Section 10. The assistant or assistants to the Ex-officio Judge shall receive such compensation as the County Commission shall deem to be reasonable and proper, and in this determination the County Commission shall be guided by, but not bound by, the recommendation of the Ex-officio Judge and the Supervisory Board. Such compensation shall be payable out of the general fund of the county as compensation of other county officers are paid.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker
Adams
Agee

Bank
Barkett
Benton

Boles
Boutwell
Bowers

Brassell
Burgess
Callahan

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Carnes	Fite	McMillan	Smith (K)
Carter	Grainger	McNair	Smith (P)
Casey	Gray (F)	Mathews	Snell
Chesnut	Hardin	May	Stokes
Collins	Headley	Meeks	Stubbs
Connell	Hearn	Naramore	Therrell
Cottingham	Hobbie	Owens	Timmons
Cross	Hughes	Parker	Turner
Crowe	Jackson	Porter	Turnham
Doss	King	Reynolds	Waggoner
Downing	Kinsey	Roberts	Waldrop
Drake	Lutz	Robertson	Warren
Edwards	McBride	St. John	Wise
Ellis	McDonald	Slate	Wynot
Erdreich			

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And the bill, S. 506 as thus amended, was read a third time at length and passed.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Doss	King	Robertson
Adams	Downing	Kinsey	St. John
Bank	Drake	Lutz	Slate
Barkett	Edwards	McBride	Smith (K)
Benton	Ellis	McDonald	Smith (P)
Boles	Erdreich	McMillan	Snell
Boutwell	Fite	McNair	Stokes
Bowers	Goodwin	Mathews	Stubbs
Brassell	Grainger	May	Therrell
Burgess	Gray (F)	Meeks	Timmons
Callahan	Grey (D)	Naramore	Turnham
Carnes	Hardin	Owens	Waggoner
Carter	Headley	Parker	Waldrop
Casey	Hearn	Porter	Warren
Chesnut	Hobbie	Reid (R)	Williams
Connell	Hughes	Reynolds	Wise
Crawford	Jackson	Roberts	Wynot
Cross			

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MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Gafford, the rules were suspended in order to bring up out of order the bill, H. 947.

Yeas 41; Nays 1.

Yeas:

Messrs.:	Connell	Headley	May
Barkett	Crawford	Hearn	Meeks
Boutwell	Cross	Hobbie	Perloff
Bowers	Crowe	Hughes	Reid (R)
Burgess	Easters	King	Reynolds
Carnes	Goodwin	Lutz	Roberts
Carter	Grainger	McDonald	St. John
Chesnut	Grey (D)	McMillan	Slate

Smith (P)	Taylor	Turnham	Wise	
Snell	Therrell	Waldrop	Wynot	
Stubbs	Timmons			—41

Nay: Mr. Warren. —1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 947. To amend Section 4 of Title 34, Code of Alabama 1940 to provide in certain instances only a man under the age of seventeen (17) and a woman under the age of fourteen (14) years may contract marriage.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 40; Nays 6.

Yeas:

Messrs.:	Connell	Grey (D)	Porter
Adams	Cottingham	Hardin	Roberts
Boles	Cross	Hearn	St. John
Boutwell	Doss	Hobbie	Slate
Bowers	Downing	Hughes	Stokes
Brassell	Drake	King	Therrell
Burgess	Erdreich	McDonald	Timmons
Carnes	Falkenburg	McMillan	Waggoner
Carter	Grainger	Mathews	Waldrop
Casey	Gray (F)	Meeks	Wynot
Chesnut			

—40

Nays:

Messrs.:	Cauthen	Nettles	Warren
Barron	McBride	Smith (K)	

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

SPECIAL ORDER RESUMED

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Lutz, the rules were suspended in order to bring up out of order on the Special Order Calendar the bill, H. 226.

Yeas 54; Nays 0.

Yeas:

Messrs.:	Barron	Bowers	Carter
Adams	Boles	Brassell	Casey
Barkett	Boutwell	Carnes	Chesnut

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Connell	Hale	McMillan	Snell
Cottingham	Headley	McNair	Stokes
Crawford	Hearn	Naramore	Stubbs
Cross	Hobbie	Owens	Taylor
Downing	Hughes	Porter	Therrell
Drake	Jackson	Reid (R)	Timmons
Flippo	King	Reynolds	Waldrop
Goodwin	Kinsey	Roberts	Warren
Grainger	Lutz	St. John	Wise
Gray (F)	McBride	Slate	Wynot
Grey (D)	McDonald	Smith (K)	

—54

And the bill:

H. 226. To amend Title 52, Section 361, Code of Alabama 1940, as amended by adding new subsection nine (9) and renumbering existing subsections, to provide that a teacher may appeal to the State Tenure Commission in any instance when such teacher has been denied a formal hearing as required by Title 52, Sections 356 and 359, Code of Alabama 1940, as amended.

Was read a third time at length and passed.

Yeas 66; Nays 0.

Yeas:

Messrs.:	Crawford	Hughes	Reynolds
Adams	Cross	Jackson	Roberts
Bank	Crowe	King	Robertson
Barron	Doss	Kinsey	St. John
Benton	Downing	Lutz	Slate
Boles	Edwards	McBride	Smith (K)
Boutwell	Flippo	McDonald	Snell
Bowers	Goodwin	McMillan	Stokes
Brassell	Grainger	McNair	Stubbs
Callahan	Gray (F)	May	Therrell
Carnes	Grey (D)	Meeks	Timmons
Carter	Hale	Naramore	Turnham
Casey	Hardin	Nettles	Waldrop
Cauthen	Headley	Owens	Warren
Chesnut	Hearn	Parker	Wise
Connell	Hill	Porter	Wynot
Cottingham	Hobbie	Reid (R)	

—66

RULE SUSPENDED

On motion of Mr. Lutz, Rule 4(4) was suspended to permit the bills, H. 226, H. 300, H. 947 and H. 508, being other than local or general bills of local application, to be sent to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Messrs.:	Boutwell	Casey	Crowe
Adams	Bowers	Cauthen	Doss
Agee	Brassell	Chesnut	Downing
Barkett	Burgess	Connell	Edwards
Barron	Callahan	Cottingham	Ellis
Benton	Carnes	Crawford	Erdreich
Boles	Carter	Cross	Falkenburg

Flippo	Jackson	Nettles	Stubbs
Gafford	King	Owens	Taylor
Goodwin	Kinsey	Porter	Therrell
Grainger	Lutz	Reid (R)	Timmons
Gray (F)	McBride	Reynolds	Turner
Grey (D)	McDonald	Roberts	Turnham
Hale	McMillan	St. John	Waldrop
Hardin	McNair	Slate	Warren
Headley	May	Smith (K)	Williams
Hearn	Meeks	Snell	Wise
Hobbie	Merrill	Stokes	Wynot
Hughes	Naramore		

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And the bills, H. 226, H. 300, H. 947 and H. 508, were ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 170. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

Also:

S. 190. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 191. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 192. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 193. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 194. To alter, rearrange and extend the boundary lines and corporate limits of the City of Eufaula in Barbour County.

Also:

S. 566. To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

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Also:

S. 584. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of offices in Morgan County.

Also:

S. 610. To provide further for the procedure for redeeming lands sold for taxes in counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census; to transfer certain duties of the probate judge of such counties to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

Also:

S. 634. Relating to counties having a population of not less than 23,934 nor more than 24,460: To regulate further the allowances, fees, deputies, equipment and maintenance of the Sheriff's Department.

Also:

S. 678. Relating to Counties having populations of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; authorizing the County governing body and the governing bodies of Municipalities in such Counties to adopt ordinances which protect the historic architectural character of the County, including designating historic districts, creating certain agencies to regulate and promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Also:

S. 686. To amend Act No. 1405, S. 1058, Regular Session 1971 (Acts 1971, p. 2373), which act provides for levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; provides for the administration of the act and the collection and the distribution of the proceeds of the tax; and prescribes penalties for violation, in counties having a population of not less than 52,500 nor more than 54,000.

Also:

S. 772. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

Also:

S. 773. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

Also:

S. 789. To amend Act No. 487, S. 919, Regular Session 1971, relating to all counties having a population of not less than 23,900 nor more than

24,450 according to the last or any subsequent federal decennial census, further providing for an expense allowance for members of the county board of education.

Also:

S. 790. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; setting the compensation of supernumerary probate judges and providing for a supplement from the general funds of such counties under certain circumstances.

Also:

S. 792. Relating to Conecuh County; to provide further for deputies for the sheriff.

Also:

S. 793. To provide for additional clerical assistance and an additional clerk hire allowance for the office of judge of probate of Conecuh County.

Also:

S. 798. To amend Sections 2 and 3 of Act No. 1126, S. 378, Regular Session 1969 (Acts 1969, p. 2084) so as to provide for the designation of State Planning and Development Districts and the establishment of Regional Planning and Development Commissions in counties having a population between 93,000 and 100,000 persons, according to the most recent federal decennial census; and further defines the duties and authority of regional planning commissions in said counties.

Also:

S. 815. Relating to Wilcox County; authorizing the county commission of said county to provide data processing, computerized services or other electronic system, including microfilming equipment, for the office of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Also:

S. 818. To regulate the compensation of members of the county board of education in all counties having populations of not less than 16,350 nor more than 16,650, and to validate, ratify and confirm all expenditures of funds heretofore paid to members of any county board of education operating in said county prior to the effective date of this act.

Also:

S. 820. Applicable to Choctaw County; providing foreign medical graduates an alternative method by which to become certified to practice medicine within Choctaw County.

Also:

S. 821. To repeal Act No. 197, H. 525, Regular Session 1959 (Acts 1959, p. 732) entitled, "An Act to regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census."

Also:

S. 827. Relating to the minimum compensation of deputy sheriffs in Dale County.

Also:

S. 829. To provide for a personnel appeals board for Dale County; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said county.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1860. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, providing for an additional expense allowance for members and chairman of the governing bodies of such counties.

Also:

H. 742. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Also:

H. 744. To alter, rearrange and extend the boundary lines and corporate limits of the City of Saraland, in Mobile County.

Also:

H. 773. To authorize county and municipal governments of counties with a population of more than 600,000 to enter into contract providing for the Sheriff to furnish police protection within a municipality of the county on a contract basis. To further authorize municipalities entering into such a con-

tract police agreement to pay over to the county treasury monies sufficient to reimburse the county treasurer for expenditures necessary to provide contract policing.

Also:

H. 855. To further amend Act No. 768, H. 566, Regular Session 1967, (Acts 1967, p. 1624) which relates to compensation of election officers in counties which have a population in excess of 500,000, according to the most recent federal decennial census, by awarding additional compensation to any person acting as chief inspector, assistant chief inspector, or clerk.

Also:

H. 1047. To increase the Director's fees of Boards operating public utility corporations in municipalities having a population of not less than 5,070, nor more than 5,150.

Also:

H. 1514. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966 (Ala. Acts, Special Session of 1966, p. 106 et seq.), as heretofore amended, providing in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 377. Relating to counties of 500,000 or more; to authorize the distillation, manufacture or making of any alcoholic spirituous, vinous or otherwise alcoholic beverages and malt and brewed beverages in such county.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length hav-

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ing been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 187. Paying tribute to Frank Park Samford and designating November 1, 1973 "Frank Park Samford Day".

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joins Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

SPECIAL ORDER RESUMED

And the bill:

H. 1815. To further amend Act No. 173, H. 311, Regular Session 1945, (Acts 1945, p. 304), so as to add a representative from AMVETS to the State Board of Veterans Affairs.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	St. John
Adams	Doss	Jackson	Slate
Agee	Downing	King	Smith (K)
Barkett	Drake	Kinsey	Snell
Barron	Edwards	Lutz	Stokes
Benton	Ellis	McBride	Stubbs
Boles	Erdreich	McDonald	Taylor
Bowers	Flippo	McMillan	Therrell
Brassell	Gafford	McNair	Timmons
Callahan	Goodwin	May	Turner
Carnes	Grainger	Meeks	Turnham
Carter	Gray (F)	Naramore	Waldrop
Casey	Grey (D)	Nettles	Wallace
Cauthen	Hale	Owens	Warren
Chesnut	Hardin	Porter	Williams
Connell	Headley	Reid (R)	Wise
Cottingham	Hearn	Reynolds	Wynot
Crawford	Hobbie	Roberts	

RULE SUSPENDED

On motion of Mr. Doss, Rule 4(4) was suspended to permit the bill, H. 1815, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Robertson
Adams	Downing	Kinsey	St. John
Agee	Drake	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Benton	Erdreich	McDonald	Snell
Boles	Flippo	McMillan	Stokes
Boutwell	Gafford	McNair	Stubbs
Bowers	Goodwin	Mathews	Taylor
Brassell	Grainger	May	Therrell
Burgess	Gray (F)	Meeks	Timmons
Callahan	Grey (D)	Naramore	Turner
Carnes	Hale	Nettles	Turnham
Carter	Hardin	Owens	Waldrop
Casey	Headley	Porter	Warren
Cauthen	Hearn	Reid (R)	Williams
Chesnut	Hobbie	Reynolds	Wise
Cottingham	Hughes	Roberts	Wynot
Crawford	Jackson		

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UNANIMOUS CONSENT GRANTED

At the request of Mr. Flippo, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 1815.

RESOLUTIONS

The following resolutions were introduced:

By Rules Committee:

H. R. 232. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business on the 33rd Legislative Day, taking precedence over any other business of the House:

Uncontested Local Bills

Unfinished Business—Previous Special Order Calendar

H. B. 445	Page 15	Plumbers
H. B. 526	Page 9	Alcoholic Tax
H. B. 1576	Page 91	State Income Tax—Alimony
H. B. 1120	Page 32	State Banking Department
H. B. 1121	Page 33	State Banking Department
H. B. 643	Page 40	Income Tax Exemption—Children's Theatre
H. B. 574	Page 88	Sales Mart—Birmingham
H. B. 1007	Page 44	Collection Agencies
H. B. 272	Page 32	Barbers
H. B. 1458	Page 100	Court Reporters
H. B. 1280	Page 40	Court Reporters
H. B. 1278	Page 99	Court Reporters

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H. B. 1173	Page 15	Sales & Use Tax
H. B. 1174	Page 15	Sales & Use Tax
H. B. 1175	Page 16	Sales & Use Tax
H. B. 1176	Page 16	Sales & Use Tax
H. B. 1177	Page 16	Sales & Use Tax
H. B. 1178	Page 17	Sales & Use Tax
H. B. 1179	Page 17	Sales & Use Tax
H. B. 338	Page 11	Estimating Value of Property
H. B. 1757	Page 109	Driver Education
H. B. 119	Page 38	Retirement for Teachers
H. B. 1672	Page 119	Exemptions for Privilege Tax
H. B. 1762	Page 95	Procedure for Keeping Records of Personal Property
H. B. 1763	Page 96	Learner's Permits Fee
H. B. 1764	Page 96	Duplicate Driver's License Fee
H. B. 1765	Page 96	Cost of Replacement Tags
H. B. 1767	Page 98	Manager of Printing & Publications
H. B. 1772	Page 97	Space Management Program
H. B. 1774	Page 97	Data Systems Management Division—Finance
H. B. 1480	Page 105	Local Government Cooperation
H. B. 1700	Page 69	Regulation of Private Schools
H. B. 2029	Page 118	State Employees Retirement Computation
H. B. 263	Page 113	Invasion of Privacy
H. B. 745	Page 77	Vital Statistics Fees
H. B. 676	Page 79	Hospital Licensure
H. B. 679	Page 105	Uniform Controlled Substances Act
H. B. 673	Page 79	Ionizing Radiation Control Inspections
H. B. 138	Page 5	Abolishing Dealer Tags
H. B. 244	Page 118	Deputy District Attorney
H. B. 1016	Page 101	Deputy District Attorney
H. B. 800	Page 120	Deputy District Attorney
H. B. 122	Page 10	Per diem for State Employees
H. B. 125	Page 120	State Employees Retirement System
H. B. 694	Page 88	Judicial Article
H. B. 1758	Page 107	Supernumerary District Attorneys
H. B. 1804	Page 87	Pension Plan
H. B. 1805	Page 87	Pension Plan
H. B. 2038	Page 111	State Banking Department
H. B. 2039	Page 111	State Banking Department
H. B. 942	Page 14	People's Attorney—PSC
H. B. 1891	Page 92	Voter Consultant
H. B. 1155	Page 86	Deputy Voter Registration
H. B. 1169	Page 37	Alabama Recreation Commission
H. B. 1539	Page 108	Junior College Division
H. B. 42	Page 42	Commercial Fishing
H. B. 1908	Page 116	Longevity Pay—Law Enforcement Officers
H. B. 340	Page 17	Teacher Tenure for Certain Schools
H. B. 514	Page 5	Recorder's Court
H. B. 515	Page 6	Recorder's Court
H. B. 621	Page 5	Citizens Band Radio
H. B. 1464	Page 93	Law Clerks
H. B. 624	Page 77	Board of Pharmacy

H. B. 2144	Page 117	Lunchroom Workers & Custodial Workers-Salary
H. B. 840	Page 61	Captive County
H. B. 1358	Page 47	UA Medical School—Spain Tower
H. B. 354	Page 40	Legislative Agents
H. B. 1063	Page 58	Alabama Board of Nursing
H. B. 1587	Page 117	Special Educational Trust Fund
H. B. 113	Page 93	Nursing Scholarships
H. B. 1907	Page 78	Nurse Practice Act
H. B. 2215	Page 123	Highway Permits
H. B. 747	Page 36	State Employees Retirement
H. B. 237	Page 94	Certification of Factory Built Housing
H. B. 1414	Page 48	Solid Waste Control
H. B. 709	Page 113	Board of Corrections
H. B. 746	Page 74	Felony For Use of Deadly Weapon by Prisoners
H. B. 1627	Page 110	Montgomery County
H. B. 349	Page 64	Personal Leave For Teachers
H. B. 1241	Page 52	Voter Registration for Disabled Persons
H. B. 1242	Page 52	Voter Registration for Disabled Persons
H. B. 1677	Page 112	Probate Offices Uniformity
H. B. 794	Page 13	PSC—Pensions
H. B. 661	Page 107	Department of Public Safety
H. B. 293	Page 123	Tuberculosis Testing
H. B. 903	Page 44	Self Indexing System
H. B. 695	Page 27	Good Behavior
H. B. 568	Page 38	Relief of Ruby T. Butler
H. B. 697	Page 31	Minimum Standard Building Code
H. B. 1193	Page 25	Suspension of Drivers' Licenses
H. B. 1075	Page 127	Medical Clinic Board
H. B. 15	Page 153	Eliminates Mandatory Matriculation Fees
H. B. 16	Page 154	Eliminates Mandatory Matriculation Fees
H. B. 1247	Page 175	Fluoridation

The rules were suspended and the resolution H. R. 232 was adopted.

Also:

By Mr. McCorquodale:

H. J. R. 233. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 28, 1973.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 233, was adopted.

SPECIAL ORDER RESUMED

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Coshatt, the rules were suspended in order to bring up out of order on the Special Order Calendar the bill, H. 2138.

Yeas 62; Nays 0.

Yeas:

Messrs.:
Adams

Agee
Barkett

Barron
Benton

Boles
Boutwell

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Brassell	Erdreich	Kinsey	Robertson
Callahan	Flippo	Lutz	St. John
Carnes	Gafford	McBride	Slate
Carter	Goodwin	McMillan	Smith (K)
Casey	Grainger	McNair	Stokes
Cauthen	Gray (F)	May	Stubbs
Chesnut	Grey (D)	Meeks	Taylor
Connell	Hale	Merrill	Therrell
Crawford	Headley	Naramore	Timmons
Cross	Hill	Owens	Waldrop
Downing	Hobbie	Porter	Wallace
Drake	Hughes	Reid (R)	Williams
Edwards	Jackson	Reynolds	Wynot
Ellis	King	Roberts	

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And the bill:

H. 2138. Relating to the thirtieth judicial circuit; providing for additional circuit court judge in such circuit.

Was read a third time at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Roberts
Adams	Downing	King	Robertson
Agee	Drake	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McMillan	Smith (K)
Benton	Erdreich	McNair	Snell
Boles	Flippo	May	Stokes
Boutwell	Gafford	Meeks	Stubbs
Brassell	Goodwin	Merrill	Taylor
Carnes	Grainger	Naramore	Therrell
Carter	Gray (F)	Nettles	Timmons
Casey	Grey (D)	Owens	Waldrop
Cauthen	Hale	Perloff	Wallace
Chesnut	Headley	Porter	Williams
Connell	Hill	Reed (T)	Wise
Coshatt	Hobbie	Reynolds	Wynot
Crawford	Hughes		

—66

RULE SUSPENDED

On motion of Mr. Coshatt, Rule 4(4) was suspended to permit the bill, H. 2138, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Carnes	Cross	Gray (F)
Adams	Carter	Downing	Grey (D)
Agee	Casey	Drake	Hale
Barkett	Cauthen	Edwards	Headley
Barron	Chesnut	Erdreich	Hill
Benton	Connell	Flippo	Hobbie
Boutwell	Coshatt	Goodwin	Hughes
Brassell	Cottingham	Grainger	Jackson

King	Meeks	Reynolds	Therrell
Kinsey	Merrill	Roberts	Timmons
Lutz	Naramore	Slate	Turner
McBride	Nettles	Smith (K)	Waldrop
McDonald	Owens	Snell	Williams
McMillan	Porter	Stokes	Wise
McNair	Reed (T)	Stubbs	Wynot
May	Reid (R)	Taylor	

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MOTION TO ADJOURN LOST

The motion of Mr. McDonald that the House adjourn until 2:00 o'clock p.m., Tuesday, August 28, 1973, was lost.

Yeas 39; Nays 44.

Yeas:

Mr. Speaker	Cottingham	Jackson	Reid (R)
Agee	Crawford	Kinsey	Reynolds
Barkett	Doss	McCorquodale	Smith (K)
Bassett	Downing	McDonald	Snell
Benton	Drake	Mathews	Stokes
Bowers	Edwards	May	Therrell
Burgess	Goodwin	Merrill	Turner
Casey	Gray (F)	Mims	Warren
Cauthen	Grey (D)	Perloff	Williams
Collins	Hardin	Porter	

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Nays:

Messrs.:	Cross	Lutz	Robertson
Adams	Ellis	McBride	St. John
Adwell	Erdreich	McMillan	Slate
Bank	Flippo	McNair	Stubbs
Barron	Grainger	Meeks	Taylor
Boles	Hale	Naramore	Turnham
Boutwell	Headley	Nettles	Waggoner
Carnes	Hill	Owens	Waldrop
Carter	Hobbie	Parker	Wallace
Chesnut	Hughes	Reed (T)	Wise
Connell	King	Roberts	Wynot
Coshatt			

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SPECIAL ORDER RESUMED

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Smith (P), the rules were suspended in order to bring up out of order on the Special Order Calendar the bill, H. 1887.

Yeas 71; Nays 0.

Yeas:

Messrs.:	Boutwell	Connell	Edwards
Adams	Brassell	Coshatt	Ellis
Agee	Burgess	Cottingham	Erdreich
Bank	Carnes	Crawford	Flippo
Barkett	Carter	Cross	Grainger
Barron	Casey	Doss	Gray (F)
Benton	Cauthen	Downing	Grey (D)
Boles	Chesnut	Drake	Hale

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Hardin	McBride	Naramore	Smith (P)
Headley	McCluskey	Nettles	Stubbs
Hill	McDonald	Owens	Taylor
Hobbie	McMillan	Porter	Therrell
Hughes	McNair	Reynolds	Timmons
Jackson	Mathews	Roberts	Turner
King	May	Robertson	Waldrop
Kinsey	Meeks	St. John	Warren
Lang	Merrill	Slate	Wise
Lutz	Mims	Smith (K)	Wynot

—71

And the bill:

H. 1887. To amend Section 10, Act No. 227, H. 2, Regular Session 1971 (Act 1971, p. 523), which Act authorizes and provides for the promotion of production, distribution, marketing, use, improvement and sale of soybeans.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Doss	Kinsey	Robertson
Adams	Downing	Lang	St. John
Agee	Drake	Lutz	Slate
Barkett	Easters	McBride	Smith (K)
Barron	Edwards	McCluskey	Smith (P)
Benton	Ellis	McDonald	Snell
Boles	Erdreich	McMillan	Stokes
Boutwell	Flippo	McNair	Stubbs
Brassell	Grainger	May	Taylor
Carnes	Gray (F)	Meeks	Therrell
Carter	Gray (D)	Mims	Timmons
Casey	Hale	Naramore	Turner
Cauthen	Hardin	Nettles	Turnham
Chesnut	Headley	O'Daniel	Waldrop
Connell	Hill	Owens	Wallace
Coshatt	Hobbie	Porter	Warren
Cottingham	Hughes	Reed (T)	Williams
Crawford	Jackson	Reynolds	Wise
Cross	King	Roberts	Wynot

—76

RULE SUSPENDED

On motion of Mr. Smith (P), Rule 4(4) was suspended to permit the bill, H. 1887, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Messrs.:	Brassell	Coshatt	Easters
Adams	Carnes	Cottingham	Edwards
Barkett	Carter	Crawford	Ellis
Barron	Casey	Cross	Erdreich
Benton	Cauthen	Doss	Flippo
Boles	Chesnut	Downing	Grainger
Boutwell	Connell	Drake	Gray (F)

Grey (D)	Lutz	Owens	Stubbs
Hale	McBride	Porter	Taylor
Hardin	McCluskey	Reed (T)	Therrell
Headley	McDonald	Reynolds	Timmons
Hill	McMillan	Roberts	Turner
Hobbie	McNair	Robertson	Turnham
Hughes	May	St. John	Waldrop
Jackson	Meeks	Smith (K)	Wallace
King	Mims	Smith (P)	Warren
Kinsey	Naramore	Snell	Williams
Lang	Nettles	Stokes	Wynot

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MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Taylor, the rules were suspended in order to bring up out of order on the Special Order Calendar the bill, H. 1156.

Yeas 64; Nays 0.

Yeas:

Messrs.:	Doss	King	Roberts
Adams	Downing	Kinsey	Robertson
Agee	Drake	Lang	St. John
Bank	Edwards	Lutz	Smith (K)
Barron	Ellis	McBride	Stokes
Benton	Flippo	McCluskey	Stubbs
Boles	Goodwin	McDonald	Taylor
Boutwell	Grainger	McMillan	Therrell
Carnes	Gray (F)	May	Timmons
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Naramore	Turnham
Cauthen	Hardin	Nettles	Waldrop
Chesnut	Headley	Owens	Wallace
Connell	Hill	Porter	Warren
Cottingham	Hobbie	Reed (T)	Williams
Crawford	Hughes	Reynolds	Wynot
Cross			

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And the bill:

H. 1156. To amend further Act No. 999, H. 288, Regular Session 1969, (Acts 1969, p. 1855), as amended, which Act established a retirement system for peace officers, in order to redefine certain words and terms in said Act.

Was read a third time at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Carter	Doss	Gray (F)
Adams	Casey	Downing	Grey (D)
Agee	Cauthen	Drake	Hale
Barkett	Chesnut	Edwards	Hardin
Barron	Connell	Ellis	Headley
Benton	Coshatt	Erdreich	Hill
Boles	Cottingham	Flippo	Hobbie
Boutwell	Crawford	Goodwin	Hughes
Carnes	Cross	Grainger	King

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Kinsey	May	Reynolds	Timmons
Lang	Meeks	Roberts	Turnham
Lutz	Merrill	Smith (K)	Waldrop
McBride	Naramore	Stokes	Wallace
McCluskey	Nettles	Stubbs	Warren
McDonald	Owens	Taylor	Williams
McMillan	Porter	Therrell	Wynot
Mathews	Reed (T)		

—66

RULE SUSPENDED

On motion of Mr. Taylor, Rule 4(4) was suspended to permit the bill, H. 1156, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Messrs.:	Doss	Hughes	Reed (T)
Adams	Downing	King	Reid (R)
Agee	Drake	Kinsey	Reynolds
Barkett	Edwards	Lang	Roberts
Barron	Ellis	Lutz	Smith (K)
Benton	Erdreich	McBride	Stokes
Boles	Flippo	McDonald	Stubbs
Boutwell	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Therrell
Carnes	Gray (F)	May	Timmons
Cauthen	Grey (D)	Meeks	Turnham
Chesnut	Hale	Merrill	Waldrop
Connell	Hardin	Naramore	Wallace
Coshatt	Headley	Nettles	Warren
Cottingham	Hill	Owens	Williams
Crawford	Hobbie	Porter	Wynot
Cross			

—64

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Ellis, the rules were suspended in order to bring up out of order on the Special Order Calendar the bill, H. 426.

Yeas 58; Nays 0.

Yeas:

Messrs.:	Cottingham	Hughes	Robertson
Adams	Cross	Jackson	Smith (K)
Barkett	Doss	King	Snell
Barron	Downing	Kinsey	Stokes
Benton	Drake	Lutz	Stubbs
Boles	Ellis	McBride	Taylor
Boutwell	Erdreich	McMillan	Therrell
Brassell	Flippo	May	Timmons
Burgess	Goodwin	Meeks	Turner
Carnes	Grainger	Naramore	Turnham
Carter	Grey (D)	Nettles	Waldrop
Casey	Hale	O'Daniel	Wallace
Chesnut	Headley	Owens	Warren
Connell	Hill	Reed (T)	Wynot
Coshatt	Hobbie	Roberts	

—58

And the bill:

H. 426. To debate the need for training emergency medical technicians; to authorize the state health department to contract with the state department of education to provide such training courses through existing vocational or technical schools and junior colleges; and to appropriate funds therefor.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Messrs.:	Downing	Jackson	Reynolds
Adams	Drake	King	Roberts
Bank	Edwards	Kinsey	Robertson
Barkett	Ellis	Lang	Smith (K)
Barron	Erdreich	Lutz	Snell
Benton	Flippo	McBride	Stokes
Boles	Goodwin	McDonald	Stubbs
Boutwell	Grainger	McNair	Taylor
Brassell	Gray (F)	May	Therrell
Carnes	Grey (D)	Meeks	Timmons
Carter	Hale	Naramore	Turner
Casey	Hardin	Nettles	Turnham
Chesnut	Headley	O'Daniel	Waldrop
Connell	Hearn	Owens	Wallace
Coshatt	Hill	Porter	Warren
Cottingham	Hobbie	Reed (T)	Williams
Cross	Hughes	Reid (R)	Wynot
Doss			

—68

RULE SUSPENDED

On motion of Mr. Ellis, Rule 4(4) was suspended to permit the bill, H. 426, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Messrs.:	Cross	Hobbie	Reed (T)
Adams	Crowe	Hughes	Reid (R)
Bank	Downing	Jackson	Reynolds
Barkett	Drake	King	Roberts
Barron	Edwards	Kinsey	Robertson
Benton	Ellis	Lang	Smith (K)
Boles	Erdreich	Lutz	Stokes
Boutwell	Flippo	McDonald	Stubbs
Brassell	Goodwin	McMillan	Taylor
Carnes	Grainger	McNair	Therrell
Carter	Gray (F)	May	Timmons
Casey	Grey (D)	Meeks	Turner
Chesnut	Hale	Naramore	Turnham
Connell	Hardin	Nettles	Waldrop
Coshatt	Headley	O'Daniel	Wallace
Cottingham	Hearn	Owens	Warren
Crawford	Hill	Porter	Williams

—67

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And the bill:

H. 1635. To provide a state scholarship program to promote the education of graduate nurses at the School of Nursing of the University of Alabama, Birmingham, and making appropriations therefor.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Crowe	Hughes	Reid (R)
Adams	Doss	Jackson	Reynolds
Adwell	Downing	King	Roberts
Barkett	Drake	Kinsey	Robertson
Barron	Edwards	Lutz	St. John
Benton	Ellis	McDonald	Smith (K)
Boles	Erdreich	McMillan	Smith (P)
Boutwell	Falkenburg	McNair	Snell
Brassell	Flippo	Mathews	Taylor
Carnes	Goodwin	May	Therrell
Carter	Grainger	Meeks	Timmons
Casey	Gray (F)	Merrill	Turner
Cauthen	Grey (D)	Naramore	Turnham
Chesnut	Hale	Nettles	Waldrop
Collins	Hardin	O'Daniel	Wallace
Coshatt	Hearn	Owens	Warren
Cottingham	Hill	Porter	Williams
Cross	Hobbie	Reed (T)	

—71

RULE SUSPENDED

On motion of Mr. Waggoner, Rule 4(4) was suspended to permit the bill, H. 1635, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	Reynolds
Adams	Edwards	Lang	Roberts
Barkett	Ellis	Lutz	Robertson
Barron	Erdreich	McBride	St. John
Benton	Flippo	McDonald	Smith (K)
Boles	Goodwin	McMillan	Smith (P)
Brassell	Grainger	McNair	Snell
Carnes	Gray (F)	Mathews	Taylor
Carter	Grey (D)	May	Therrell
Casey	Hale	Meeks	Timmons
Cauthen	Hardin	Merrill	Turnham
Chesnut	Hill	Naramore	Waldrop
Connell	Hobbie	Nettles	Wallace
Coshatt	Hughes	Owens	Warren
Cross	Jackson	Porter	Williams
Doss	King	Reid (R)	Wynot
Downing			

—65

And the bill:

H. 1331. To amend further Code of Alabama 1940, Title 35, Section 12, which relates to military leave for government employees in order to ex-

tend payment for military furlough benefits to all employees and to provide for the mandatory reemployment of government employees who are called to active service either by the Alabama National Guard or the armed forces of the United States.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson	Roberts
Adams	Downing	King	Robertson
Barkett	Drake	Kinsey	Smith (K)
Barron	Edwards	Lang	Smith (P)
Benton	Ellis	Lutz	Snell
Boles	Erdreich	McBride	Stubbs
Brassell	Flippo	McDonald	Therrell
Burgess	Goodwin	McMillan	Timmons
Carnes	Grainger	McNair	Turner
Carter	Gray (F)	May	Turnham
Casey	Grey (D)	Merrill	Waggoner
Chesnut	Hale	Naramore	Waldrop
Connell	Hardin	Nettles	Wallace
Coshatt	Headley	Owens	Warren
Cottingham	Hearn	Porter	Williams
Crawford	Hill	Reid (R)	Wise
Cross	Hughes	Reynolds	Wynot

—68

RULE SUSPENDED

On motion of Mr. St. John, Rule 4(4) was suspended to permit the bill, H. 1331, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Reid (R)
Adams	Downing	Kinsey	Reynolds
Barkett	Drake	Lang	Robertson
Barron	Edwards	Lutz	Smith (K)
Benton	Ellis	McBride	Snell
Boles	Erdreich	McDonald	Stubbs
Brassell	Goodwin	McMillan	Therrell
Carnes	Grainger	McNair	Timmons
Carter	Gray (F)	May	Turnham
Casey	Grey (D)	Merrill	Waggoner
Cauthen	Hale	Naramore	Wallace
Chesnut	Hardin	Nettles	Williams
Connell	Headley	Owens	Wise
Coshatt	Hughes	Porter	Wynot
Crawford	Jackson		

—58

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. St. John, the rules were suspended in order to bring up out of order the bill, H. 1219, on the Special Order Calendar.

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Yeas 68; Nays 1.

Yeas:

Messrs.:	Cross	King	Porter
Adams	Crowe	Kinsey	Robertson
Agee	Downing	Lang	Smith (P)
Barkett	Drake	Lutz	Snell
Barron	Edwards	McBride	Stokes
Benton	Ellis	McCluskey	Stubbs
Boles	Erdreich	McCorquodale	Taylor
Brassell	Flippo	McDonald	Therrell
Burgess	Grainger	McMillan	Timmons
Carnes	Gray (F)	McNair	Turner
Carter	Hale	Mathews	Turnham
Casey	Hardin	May	Waggoner
Cauthen	Headley	Merrill	Waldrop
Chesnut	Hearn	Naramore	Wallace
Connell	Hill	Nettles	Warren
Coshatt	Hughes	O'Daniel	Wise
Cottingham	Jackson	Owens	Wynot
Crawford			

—68

Nay: Mr. Smith (K).

—1

And the bill:

H. 1219. To amend Act No. 691, S. 284, Regular Session 1951, as amended, Code of Alabama, providing for the salary of the official court reporters of the state.

Was read a third time at length and passed.

Yeas 65; Nays 4.

Yeas:

Messrs.:	Downing	Kinsey	Reynolds
Adams	Drake	Lang	Robertson
Adwell	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (P)
Barron	Erdreich	McCluskey	Snell
Benton	Flippo	McDonald	Stokes
Boles	Goodwin	McMillan	Stubbs
Brassell	Grainger	McNair	Taylor
Burgess	Gray (F)	Mathews	Therrell
Carnes	Hale	May	Timmons
Casey	Hardin	Merrill	Turner
Cauthen	Headley	Naramore	Turnham
Chesnut	Hearn	Nettles	Waldrop
Connell	Hill	O'Daniel	Wallace
Coshatt	Hughes	Owens	Wise
Cottingham	Jackson	Porter	Wynot
Crowe	King		

—65

Nays:

Messrs.:	Cross	Grey (D)	Smith (K)
Crawford			

—4

RULE SUSPENDED

On motion of Mr. St. John, Rule 4(4) was suspended to permit the bill,

H. 1219, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

Yeas 58; Nays 2.

Yeas:

Messrs.:	Crowe	Lutz	Smith (P)
Adams	Downing	McBride	Snell
Barkett	Drake	McCorquodale	Stokes
Barron	Edwards	McDonald	Stubbs
Benton	Ellis	McMillan	Taylor
Boles	Erdreich	Mathews	Therrell
Brassell	Grainger	May	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Hale	Naramore	Turnham
Casey	Hardin	Nettles	Waggoner
Chesnut	Headley	Owens	Waldrop
Connell	Hearn	Porter	Wallace
Coshatt	Hughes	Roberts	Wise
Cottingham	Jackson	Robertson	Wynot
Cross	Kinsey	St. John	

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Nays: Messrs. Slate and Smith (K).

—2

RESOLUTION

The following resolution was introduced:

By Mr. Turnham:

H. J. R. 234. URGING THE ELECTION OF MRS. ARA BELLE WALKER AS NATIONAL FIRST VICE PRESIDENT OF THE AMERICAN BUSINESS WOMEN'S ASSOCIATION

WHEREAS, Mrs. Ara Belle Walker of Smith, Alabama, has performed her duties as Southeastern District Vice President of the American Business Women's Association in an excellent manner; and

WHEREAS, this lovely and gracious lady has contributed immeasurably to the activities of the state and local branches of the American Business Women's Association. Among the many offices which she has held are Recording Secretary, Vice President, President, Boss Night Chairman, Publicity Chairman, Ways and Means Committee, Bulletin Committee, Torchbearer-Friendship-Expansion Chairman, Voting Delegate to the National Convention. In addition, she has attended all National Conventions of the Association since she became a member five years ago and has a five year perfect attendance record for all state and local association meetings; and

WHEREAS, Mrs. Walker has been honored as "Woman of the Year" and is listed in the "Personalities of the South". She takes a lively and active interest in all local civic activities and puts her deep religious faith to work by serving as Secretary of her Church. Associated with the Phenix City Housing Authority for the past 21 years, she is considered an excellent asset to that organization; and

WHEREAS, we feel that Mrs. Ara Belle Walker is the most logical choice for National First Vice President of the American Business Women's Association and we strongly urge her fellow association member through the nation to place their stamp of approval on her election to this esteemed national office; and

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WHEREAS, she has demonstrated a deep sensitivity toward all people who have crossed her path. Her deep concern for her fellow citizens reflects much honor upon her and her native state; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend a marvelous lady, Mrs. Ara Belle Walker, for the excellent manner in which she performs in all her endeavors and we urge her election as National First Vice President of the American Business Women's Association.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Ara Belle Walker and the Phenix City Charter Chapter of the American Business Women's Association.

The resolution, H. J. R. 234, was read and referred to the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:45 P.M. on August 23, 1973.

H. 995

H. 1646

Delivered to the Governor at 3:40 P.M. on August 23, 1973.

H. 1723

Delivered to the Governor at 4:45 P.M. on August 23, 1973.

H. 1725

H. 1371

H. 1870

H. 1487

H. 1555

H. 1900

H. 1152

H. 1521

H. 1788

H. 1790

H. 1834

H. 1791

H. 1882

H. 1787

H. 1789

H. 1799

H. 1786

H. 1704

H. 1892

H. 1875

H. 1862
H. 1863

Delivered to the Secretary of State at 4:45 P.M. on August 23, 1973.

H. 1841 (Constitutional Amendment)

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Williams, the House adjourned until 2:00 o'clock p.m., Tuesday, August 28, 1973.

Yeas 46; Nays 37.

Yeas:

Mr. Speaker	Doss	McCorquodale	Reynolds
Agee	Downing	McDonald	Roberts
Barkett	Drake	Mathews	Slate
Bassett	Edwards	May	Smith (K)
Benton	Goodwin	Merrill	Snell
Brassell	Gray (F)	Mims	Stokes
Cauthen	Grey (D)	Naramore	Stubbs
Chesnut	Hardin	O'Daniel	Therrell
Collins	Headley	Perloff	Timmons
Connell	Jackson	Porter	Warren
Cottingham	Kinsey	Reid (R)	Williams
Crawford	Lang		

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Nays:

Messrs.:	Ellis	Lutz	Robertson
Adams	Erdreich	McBride	St. John
Adwell	Falkenburg	McCluskey	Smith (P)
Bank	Flippo	McMillan	Turner
Bassett	Grainger	McNair	Turnham
Benton	Hale	Meeks	Waggoner
Carnes	Hill	Nettles	Waldrop
Carter	Hobbie	Owens	Wise
Coshatt	Hughes	Parker	Wynot
Cross	King		

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THIRTY-THIRD DAY

House of Representatives
Montgomery, Alabama
Tuesday, August 28, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend William Hollis Bostick, Jr., Pastor, First United Methodist Church, Attalla, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adams	Culver	Jones (F)	Reynolds
Adwell	Dill	King	Roberts
Agee	Doss	Kinsey	Robertson
Bank	Downing	Lang	St. John
Barkett	Drake	Lutz	Slate
Barron	Easters	McBride	Smith (K)
Bassett	Edwards	McCluskey	Smith (P)
Benton	Ellis	McCorquodale	Snell
Boles	Erdreich	McDonald	Stewart
Boutwell	Falkenburg	McMillan	Stokes
Bowers	Fite	McNair	Stubbs
Brassell	Flippo	Manley	Taylor
Burgess	Gafford	Mathews	Therrell
Callahan	Goodwin	May	Timmons
Carnes	Grainger	Meeks	Turner
Carter	Gray (F)	Merrill	Turnham
Casey	Gray (D)	Mims	Waggoner
Cauthen	Hale	Naramore	Waldrop
Chesnut	Hardin	O'Daniel	Wallace
Collins	Harris	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hearn	Perloff	Williams
Cottingham	Hill	Porter	Wise
Crawford	Hobbie	Pruitt	Wood
Cross	Hughes	Reed (T)	Wynot

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-second legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the thirty-second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirty-second legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1732. To amend Section 6 of Act Number 1205, H. 1451, page 2246, Regular Session of the Legislature of Alabama 1969, approved Septem-

ber 13, 1969, entitled "An Act relating to Houston County providing for the establishment of a consolidated and unified system for assessment and collection of taxes under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws".

Also:

H. 1684. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Also:

H. 1880. To authorize the Etowah County Commission to provide for the relief of Mrs. Carolyn D. Thomas, widow of Deward W. Thomas, an employee of the county until his accidental death on February 16, 1972.

Also:

H. 1845. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; to impose certain additional privilege or license taxes upon the sale of malt or brewed beverages in certain areas of said counties, and to provide for the collection and distribution of said taxes.

Also:

H. 1747. To allow prospective jurors to be excused in capital cases outside the presence of the defendant in the Sixteenth Judicial Circuit of Alabama.

Also:

H. 1730. Relating to Counties having a population of not less than 90,000 nor more than 100,000 according to the most recent or any subsequent Federal Decennial Census; to provide for the Clerk of Circuit Court in such Counties to collect Commission on Judgments, except on Garnishments, where the Judgments are collected by said Clerk after Ninety (90) days from the date of rendition.

Also:

H. 1746. To provide that a judge, or former judge, of the County Court of counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census may elect to become a supernumerary judge of said court under certain conditions; to provide for the duties, authority and compensation of any such supernumerary judge.

Also:

H. 1801. Relating to any county having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to authorize the county governing body to provide an expense allowance for the deputy tax assessor, the deputy tax collector and the deputy circuit clerk of such county.

Also:

H. 1803. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than

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24,900 nor more than 25,150 according to the most recent federal decennial census; to repeal Act No. 1051, H. 1420, Regular Session 1971 (Acts 1971, p. 1900).

Also:

H. 1809. To amend Act No. 386, H. 960, Regular Session 1969 (Acts 1969, Regular Session, p. 794) so as to increase the compensation of the Judge of the Inferior Court of Geneva County.

Also:

H. 1807. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Also:

H. 892. To amend Section 3 of Act No. 530, H. 1096, Regular Session 1959 (Acts 1959, p. 1305), so as to further provide for voter reidentification in all counties in the state having a population of 500,000 or more according to the last or any subsequent federal census.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1615. To apply to all counties having populations of 500,000 or more inhabitants according to the last or any subsequent federal decennial census; to provide and require that in the condemnation of lands for ways and rights of ways for sewer lines and water lines the value of any enhancement to the remaining lands of such owner or owners that such sewer line or water line may cause shall be applied to reduce or off-set the value of any land or right-of-way taken or damages to the remainder for the construction of such sewer line or water line.

Also:

H. 1621. To grant to any Civic Center Authority now or hereafter incorporated in any County having a population of more than 500,000, according to the last or any subsequent Federal census, organized under the provisions of Act No. 547, enacted by the Legislature of Alabama at its 1965 Regular Session and approved August 20, 1965 (Acts of 1965, pp. 797, et seq.) as amended, the power and authority to borrow money, to issue as evidence of

its obligation to repay such money, its negotiable promissory notes and to provide the security for such notes and the refunding thereof by the issuance of notes or bonds.

Also:

H. 1780. To amend Section 2 of Act No. 965, H. 1396, Regular Session 1969 (Acts 1969, p. 1710) which provides for the salary of the Register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any succeeding federal census; so as to further provide for such salary.

Also:

H. 1868. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended) in any municipality located (in whole or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction of otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or personal or both) designed or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

Also:

H. 1886. To provide for the appointment by the Deputy District Attorney for the Bessemer Division of Jefferson County of an Assistant Deputy District Attorney to prosecute cases in the County Court for the Bessemer Division of Jefferson County and to provide the compensation of said Assistant Deputy District Attorney and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Also:

H. 1824. To amend Sections 5.01, 5.02, and 5.10 of Act No. 452 of the 1955 Regular Session of the Legislature of Alabama (Acts of Alabama 1955, page 1004, et seq.), entitled, as amended: "To provide a form of municipal government to be known as the Mayor-Council form of government, which may be adopted by any city in the State of Alabama having a population of more than 300,000 according to the last or any succeeding Federal or municipal census; to provide the method by which any such city may adopt the Mayor-Council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the Mayor-Council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a Mayor and for the filling of vacancies in the office of Mayor and to provide the duties and authority of the Mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of fi-

nance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the Mayor-Council form of government; to make various other provisions for any such city which adopts the Mayor-Council form of government and for the government thereof; and to provide for the means of abandoning the Mayor-Council form of government and the adoption by the city of other forms of municipal government in lieu thereof."

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1556. To amend further Act No. 56, H. 285, Regular Session, 1953 (Acts 1953, p. 76), as heretofore amended, an Act levying additional privilege and license taxes in Tuscaloosa County; so as to redefine terms relating to hospital boards and to prescribe the manner of determining the distribution of the proceeds of the Tax allocated for hospital purposes.

Also:

H. 1445. To amend Section 8 of Act No. 25, H. 18, Second Special Session 1971 (1971 Acts, p. 4151), an act creating and establishing an Inferior Court in Dale County, Alabama, so as to provide further for certain fees and costs of court.

Also:

H. 1654. To alter, rearrange and extend the boundary lines of the town of Woodville, Jackson County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Also:

H. 1779. Relating to all counties having a population of not less than 38,100 nor more than 40,500, according to the most recent federal decennial census; authorizing and providing for the establishment, maintenance, operation, control and financing of a public law library for the county.

Also:

H. 1888. To require that all district attorney's fees taxed and collected

in all reciprocal support cases in the Twenty-Third Judicial Circuit shall be paid into the District Attorney's Fund of the County composing such circuit.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1916. To establish a Salary Commission for the employees of the office of the Clerk of the Circuit Court of Marshall County and of the office of the Register of the Circuit Court of Marshall County, to provide for the membership of such Salary Commission, to define its powers and duties, and to define the duties of the Clerk of the Circuit Court of Marshall County and of the Register of the Circuit Court of Marshall County with reference to such Commission, and the duties of the Marshall County Commission with reference to such Salary Commission.

Also:

H. 1362. Applying to Cullman County; to increase the expense allowance of certain county officers.

Also:

H. 1485. Relating to the twenty-seventh judicial circuit; to provide for an expense allowance of \$3,600.00 per year to the district attorney of said judicial circuit to be supplemented by any county located in said district, in addition to any regular compensation.

Also:

H. 1836. To fix the salary for the County Solicitor (Deputy District Attorney) of Geneva County.

Also:

H. 1828. To prohibit, in any county having a population of 600,000 or more according to the most recent federal decennial census, the occupancy of any building or structure any part of which is situated upon real property which abuts or joins that part of a street, alley, public way or right of way within which is situated pipes or mains of an approved public water supply system and which is not directly connected to water mains or pipes of an approved public water supply system; and to prohibit, in such counties, the sale or distribution of insanitary, impure or unwholesome water.

Also:

H. 1901. Relating to all counties having populations of not less than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Also:

H. 401. To amend Act No. 880, H. 675 of the Regular Session of 1965 which applies in all counties having populations of 60,000 or more according to the 1960 federal decennial census and special courts where probation services for juvenile delinquents is not now provided by the Department of Pensions and Security and regulates the expenditure of state and county funds to pay for the cost of the salaries of juvenile court probation officers in such counties, and makes an appropriation therefor, amending such Act so as to make such Act apply to counties having populations of 59,000 or more according to the most recent federal dcennial census.

Also:

H. 411. To fix the salary of the Tax Assessor of Mobile County and to regulate the payment thereof.

Also:

H. 273. To amend Act No. 111, H. 419, Regular Session 1955 (Acts of Alabama 1955, p. 356) Entitled "An Act To Fix the salary of the tax collector of Mobile County, and to regulate the payment thereof," and to repeal conflicting laws.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 292. To prohibit a limit on the number of times that a person, otherwise qualified, may take the Alabama Bar Examination.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 2280. To amend further Sections 1, 5, 7, 8, 9, 10, 11 and 15, Title 29, Code of Alabama, 1940, to authorize the Alcoholic Beverage Control Board to establish "Agency Stores" in incorporated localities which do not exceed 1,000 population and are not within ten miles of existing state liquor stores and to provide for controls relating to the operation of such stores.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 853. Creating the position of full time deputy district attorney for the eighth judicial circuit; providing compensation for such position.

S. 72. To amend the title and Section 1 of Act No. 282, S. 218, Third Special Session 1971 (Acts 1971, p. 4556), fixing supplemental salaries of circuit judges in judicial circuits composed of one county having a certain number of circuits judges.

S. 353. To revise existing bail practices in the courts of Alabama to assure that all persons, regardless of their financial or social status, shall not needlessly be detained pending their appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest, to be known as "The Alabama Bail Reform Act of 1973," prescribing means in addition to the giving of bail bonds by which a person charged with an offense may give security for appearance in order to secure his release and amending certain sections of the Code of Alabama 1940 to conform with such revision.

S. 393. To amend title 13, Section 255, Code of Alabama, 1940, as amended, relating to the appointment of deputy district attorneys for the Fifteenth and Twenty-sixth Judicial Circuits of Alabama, and their salaries.

S. 448. To regulate further the office of circuit solicitor of the First Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

S. 528. To validate moral obligations, not exceeding five hundred dollars (\$500.00) in amount, paid by the Alabama Industrial School for Negro Children for motor vehicle accidents involving employees during the period October 1, 1966 through September 30, 1968.

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H. 2266. To amend Title 61, Section 69, Code of Alabama 1940, as amended, so as to provide that a non-resident may be appointed executor of a decedent's estate upon the consent of all heirs at law, legatees, and claimants of record of such estate.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1813. Further amending Section 12 of Act No. 674, H. 484, Regular Session 1961 (Acts 1961, p. 925) as amended, providing for the taxing of motor fuel, so as to express the intent that only such fuel as is used within this state shall be subject to the tax.

H. 1869. To provide that in all contracts for public improvements awarded by the State or by any department, agency, board, commission authority or political subdivision thereof, including any municipality, county and any board, commission or agency of such municipality or county, the contractor may, from time to time withdraw the whole or any part of the amounts retained from payments due the contractor under the terms and conditions of such contract by depositing security in an amount at least equal to the amount of retainage withdrawn.

S. 245. To amend Article 3 of Chapter 10 of Title 55, Code of Alabama 1940 by amending Section 347 thereof, relating to creation of boxing and wrestling commission, membership, oath, etc; to further amend Section 348 thereof, relating to seal; powers, authority and duties of the commission; and to amend Section 349 thereof relating to compensation and expenses of members.

S. 263. To provide for the return of certain leased or rented personalty obtained by fraud.

S. 262. Providing for the creation of a lien on land and improvements in favor of those who rent or lease appliances, machinery or equipment for use in construction of improvements to land or in clearing or improving land.

S. 261. To amend Act No. 68, H. 73, Acts of Alabama 1953, approved June 3, 1953, so as to provide for the establishment of prima facie evidence of intent to dispose of or convert property of another which is subject to lease.

S. 515. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103, through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940, as amended; and Section 198 of Title 10 of the Code of Alabama of 1940." by adding pipeline companies to the corporations included in said Section 88.

S. 516. To amend Sections 71, 75, 76 and 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

S. 527. To apply in all counties having less than 600,000 population according to the last or any subsequent federal census. To provide for the keeping of records by junk dealers and scrap metal processors of the purchases of copper wire subject to inspection by sheriffs and state law enforcement officers, and to provide a penalty for the violation thereof.

S. 642. To create, establish and empower The Ameraport Offshore Harbor and Terminal Commission, pending the approval of a bistate compact involving the participation of the States of Alabama and Mississippi, in the development of an offshore deep draft harbor and terminal for the purpose of loading and unloading cargoes of energy, in particular, petroleum of all kinds.

S. 658. To authorize the Governor on behalf of the State of Alabama to seek appointment of a referee by the U. S. Congress, for the purpose of executing a compact with the State of Mississippi. This compact to be for the purpose of promoting the development of a Deep Draft Harbor and Terminal to be located on the continental shelf of the United States, in the Gulf of Mexico.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1923. Proposing an amendment to the Constitution of Alabama authorizing the levy and collection of a special property tax and the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas, and other recreational purposes.

The above bill was read a second time at length as required by the Constitution.

H. 1924. To require the county commission or like governing body of Tuscaloosa County to call an election to determine the sentiment of the voters of the county: (1) relative to levying additional ad valorem tax for developing parks and multi-recreation areas or facilities, as authorized by the amendment to the Constitution of 1901 proposed by an Act of the 1973 Regular Session, and (2) relative to the incurring of a debt and the issuance of bonds as authorized in such amendment.

H. 2070. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

H. 2090. To alter, rearrange and extend the boundaries and corporate limits of the Town of County Line, Blount and Jefferson Counties, Alabama, so as to annex certain territory to the town.

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H. 2273. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; providing for no mandatory fees of any kind to be collected from children attending any school under the supervision or control of any county or city board of education.

H. 2275. Relating to counties having populations of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census, providing an additional expense allowance for members of the county board of education.

H. 2276. Relating to counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census, requiring all railroad operators operating in such counties to erect and maintain proper mechanical warning devices at all grade crossings in such counties.

H. 2277. To apply only in counties having populations of not less than 24,900 nor more than 25,150, to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 2278. (With Amendment): To authorize the county governing body of counties having a population of not less than 23,750 nor more than 24,500, according to the most recent federal decennial census, to pay all dues, fees, and expenses incurred by the Tax Assessors, Tax Collectors, or other like official by membership in their State organization.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2279. To authorize the county governing body of counties having a population of not less than 45,500 nor more than 52,000, according to the most recent federal decennial census, to pay all dues, fees, and expenses incurred by the Tax Assessors, Tax Collectors, or other like official by membership in their State organization.

H. 2282. To provide further for the procedure for redeeming lands sold for taxes in Talladega County; to transfer certain duties of the probate judge of said county to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

H. 2284. Relating to counties having populations of not less than 65,000 inhabitants nor more than 68,000 inhabitants according to the last or any subsequent federal decennial census; to levy a pistol permit fee in such counties.

H. 2286. To amend Section 12 (a) of Act No. 630, S. B. 537 and Act No. 509, H. B. 699, Regular Session of the Legislature of Alabama, 1969, (Alabama Acts, 1969, p. 1150 and p. 971), an act creating and establishing the Houston County Court of Houston County, Alabama, in order to fix ad-

ditional compensation or salary for the Clerk and Register of the Circuit Court and to fix the compensation or salary for the Clerk of the Juvenile Division of said Houston County Court and to provide for the additional office of Deputy Clerk of said Houston County Court, Juvenile Division, and the appointment, duties, terms of office, powers, authority and compensation of the holder of such office.

S. 536. To authorize the Baldwin County governing body to appoint a Baldwin County Industrial Development Commission, to prescribe the powers and duties of and grant funds to said commission.

S. 537. To authorize the Baldwin County Commission to regulate the minimum size of lots and the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in Baldwin County.

S. 548. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

S. 608. To authorize the Baldwin County governing body to appoint a county tourism commission which will promote travel to Baldwin County, to prescribe the powers and duties of and to grant funds from the county governing body to the tourism commission.

S. 669. Relating to counties having a population of not less than 57,000 nor more than 61,000; authorizing the county governing body of such counties to provide the bailiff of the Circuit Court of such counties additional compensation.

S. 747. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for an additional expense allowance and an additional clerk hire allowance for the circuit clerk.

S. 749. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for additional expense allowance for the tax collector and tax assessor.

S. 777. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing an additional expense allowance for the county solicitor of such counties.

S. 778. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing for an additional clerk hire allowance for the offices of probate court within such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 787. (With Amendment): To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and to provide the

means and manner for the payment of the same, so as to provide further for such compensation.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 805. To provide for two deputy district attorneys for the 27th judicial circuit and their compensation and appointment.

S. 825. To authorize the Baldwin County governing body to appoint a Baldwin County Historical Commission to prescribe the powers and duties of and grant funds to said commission.

S. 837. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide for clerk hire for the tax assessor and tax collector of such county.

S. 838. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide an expense allowance for the probate judge of such county.

S. 839. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide an expense allowance for the members of the governing body of such county.

S. 846. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 5,550 nor more than 5,700 inhabitants that lie within counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 848. (With Amendment): To provide for supplementing the salary or compensation paid to retired or supernumerary Circuit Judge having more than eighteen (18) years continuous service in office, as a Circuit Judge in the 31st Judicial Circuit of Alabama, consisting of Colbert County, and to provide an office in the Courthouse for such Judge.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 850. Relating to all counties having populations of not less than 65,000 nor more than 68,000, according to the most recent federal decennial census; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations; validating, ratifying and confirming all prior deposits of such fines and forfeitures; repealing all conflicting laws and parts of laws general, local and special.

S. 855. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census;

to authorize the board of registrars to meet for 60 days in addition to the number of days now provided by law for the purpose of implementing the federal court's plan of reapportionment; to authorize the county commission to appoint additional personnel and clerical help to work under the board of registrars, to determine the compensation of such personnel and to pay such compensation from the general fund of the county.

S. 857. To further amend Sections 2 and 3 of Act No. 491, S. 444, Regular Session 1961, as amended, An Act relative to cities in the state having a population of not less than 60,000 nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government in such cities; and providing for the term of the members of said commission board, and the time and manner of calling and holding an election therefor.

S. 861. To create the office of county license inspector in all counties of this state having a population of not less than 65,000 or more than 68,000 inhabitants, according to the last or any subsequent Federal decennial census, and to provide for the appointment of a license inspector, fix his compensation, prescribe his duties and define his powers, and provide for the operation of his office.

S. 862. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salaries of certain deputies in the office of the sheriff.

S. 870. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

S. 876. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

S. 877. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the last federal decennial census; to require the use of voting machines at all polling places; to allow the designation of voting places; to permit electors to register votes on any voting machine at the designated voting place; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines.

S. 878. Relating to all counties having a population of not less than 41,750 nor more than 45,000 according to the most recent federal decennial census, setting the salary for the County Solicitor or Deputy District Attorney.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill

and ordered same returned to the House with a favorable report, with substitute and it was read a second time and placed on the Calendar, to-wit:

S. 881. (With Substitute): Applicable to any city having a population of not less than 7,750 nor more than 7,825 according to the most recent federal decennial census; to provide an expense allowance to the mayor of any such city.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 885. To authorize the county commission in Houston County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land and Mobile home parks situated outside the corporate limits of any municipality in the county.

S. 886. To establish a Civil Service System for Houston County; to provide a policy for the administration of this act; to divide positions in the county into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans for Houston County; to provide that the first members of the personnel board shall be members of the existing personnel appeals board created pursuant to Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), and to provide for their successors in office; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the county; to provide for the expenses of such board; to guarantee certain rights to the governing body of Houston County.

S. 887. To repeal Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), entitled "An Act to provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties."

S. 889. To provide for an investigator in the district attorney's office of the Thirty-First Judicial Circuit.

S. 892. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to set the number of working days for the county board of equalization and to set and pay a travel allowance to the members of the board.

S. 893. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to pay from the county general fund the employer's share of the social security tax for the member of the board of equalization.

S. 895. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing an annual expense allowance for the sheriff of such counties.

S. 926. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

S. 927. Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

S. 928. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168), as amended, which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis.

S. 929. Relating to Cherokee County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

S. 930. Repealing Constitutional Amendment CLXXXIV, relating to the compensation of certain officers of DeKalb County; proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of DeKalb County.

S. 759. To authorize the incorporation in any county in this state having a population of not less than 50,000 nor more than 100,000 according to the most recent federal decennial census of one or more public corporations for hospital purposes, including the acquisition, financing, owning, operating and/or leasing of hospitals, clinics, sanatoria, nursing homes, offices for persons engaged in the diagnosis, treatment or cure of sick or injured persons and buildings to house or service equipment used for the diagnosis or treatment of sick or injured persons or the records of such diagnosis or treatment or research with respect to any of the foregoing, or for dormitories or residences for hospital personnel and students, together with all real property for the location or better utilization of a hospital, medical clinic, buildings, parking areas, garages, storage facilities, outbuildings, machinery, equipment, furniture and fixtures useful or desirable in the operation of any of the aforesaid facilities; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to provide for the offices of Chairman and Vice Chairman of the board of directors of such corporation; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negotiable in-

struments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, all lease agreements made by such corporation and all revenues derived from such leases, and the income and properties of such corporation; to provide for the dissolution of such corporation; to exempt such corporations from the laws of this State governing usury or limiting interest rates and competitive bidding; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, any funds and assets, tangible or intangible, relative to the ownership or operation of any hospital, and funds raised or allocated for hospital purposes.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2141. To accord the elected officials of any city of the state having a population of two hundred fifty thousand or more, according to the last or subsequent federal census, the option to become members of the pension system established for employees of such city, their widows and children; to provide that the board of managers or trustees, or other board, or body, administering such pension system shall adopt rules and regulations according such elected officials the option to become members of such pension system, on the same terms and conditions, and with the same obligations and benefits, as apply to the employees of the city belonging to such system; and to provide that such board or body, administering such pension system, shall provide for rules stating the terms and conditions on which any such official becoming a member of such pension system can acquire credit in the system for service as an elected official of the city prior to his becoming a member of the system, which terms and conditions shall be the same as those provided for city employees to secure credit in the system for their city service prior to their becoming members of the pension system.

H. 2274. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Vestavia Hills, Jefferson County, Alabama.

S. 611. To Repeal Section 17 of Act No. 1594, Regular Session 1971, thereby applying the provisions of this act to counties with populations of 600,000 inhabitants or more.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendments and they were severally read a second time and placed on the Calendar, to-wit:

S. 752. (With Amendments): Relating to judicial circuits with more than 15 judges, further providing for the appointment of court reporters.

S. 890. (With Amendments): Relating to counties having a population of 600,000 or more inhabitants according to the most recent Federal decennial census; providing for the establishment of a county compensation commission and to provide for the make up of the commission and to subscribe the duties of the commission.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 801. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 871. (With Substitute): Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, and court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure, process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

NOTICE IN WRITING

Messrs. Hale, Doss, King, Stokes, Cauthen, Hill, Barron, Warren, Parker, Grainger, Coshatt, Boutwell, Stewart, Erdreich, Taylor, Jones (F), Therrell, Nettles, St. John, Ellis, McNair, Crawford, Adams, Robertson, Bank, Culver, Waggoner, Weeks, Reed (T), Mims, Smith (K), Goodwin, Reynolds, Smith (P), Roberts, Bowers, Falkenburg, McDonald, Lutz, Hearn, Waldrop, Wynot, Porter, Carter, Reid (R), Grey (D), Flipppo, Cross, McMillan, Meeks, McBride, Adwell, Turner and Wallace filed the following Notice in Writing:

Notice in writing is hereby given, according to House Rule 42, to move for a vote to direct the State Administration Committee to act on Senate Bill #1.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1818. To provide an expense allowance for each circuit judge of the Twenty-third Judicial Circuit; to repeal Section 4 of Act No. 232, H. 253, Second Special Session 1971 (Acts 1971, p. 4501).

Also:

H. 1596. Relating to counties with a population of not less than 57,000 nor more than 61,000; prohibiting operation of vehicles upon coastal

sand dunes located 50 feet or further from the water line without written permission of the landowner; providing punishment for violation of this act.

Also:

H. 1575. Relating to inferior court judges of Jefferson County; authorizing such judges to elect to assume supernumerary status; prescribing the procedure for such election, and prescribing qualifications and conditions necessary for such judges to become supernumeraries; providing for their compensation, and repealing conflicting laws.

Also:

H. 1706. Relating to Bibb County; to amend Act No. 866, H. 1194, Regular Session 1969 (Acts 1969, p. 1577), which act provides for compensation of the sheriff, appointment of deputies, secretaries and jailors, so as to further provide for the salaries of certain members of the sheriff's staff and to provide an additional deputy for said sheriff.

Also:

H. 1400. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

Also:

H. 1456. To amend the Title and Section 1 of Act No. 77 of the First Special Session 1964, providing for and fixing an allowance for expenses for the major or other chief executive officer of any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Also:

H. 1752. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service and compensation of members of the Board of Equalization and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

Also:

H. 1671. To create the office of commissioner of licenses in Houston County, Alabama, to provide for a more convenient and efficient method for the issuance of all licenses except marriage license, to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him, to amend Chapter 20, Title 51, Code of Alabama 1940, to transfer to such officer the duties of the probate judge relative to the issuance of all licenses, except marriage licenses, and the distribution of motor vehicles licenses tags, relative to assessing and collecting ad valorem taxes on motor vehicles, and repeal Section 835, Title 51, Code of Alabama 1940, to transfer to the commissioner of licenses the duties of the license inspector of such county, and to set out the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed and repealing conflicting laws.

Also:

H. 1817. To authorize and establish in Madison County, Alabama, the office of Warrant Magistrate; to provide for the appointment of a warrant magistrate and assistant warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment for same; to repeal conflicting laws.

Also:

H. 1843. Relating to any county having a population of not less than 90,000 nor more than 100,000 according to the last or any subsequent federal decennial census, providing for cost of living raises for county employees and an allowance for county officers.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 314. Relating to motor vehicles: To provide means for the recovery of stolen motor vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State Department of Revenue; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon; to grant certain powers and authority to and impose certain duties on the State Department of Revenue and to impose penalties for violations of this Act; to appropriate funds to be used in the administrations of this Act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

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MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Slate to suspend the rules in order to bring up out of order the bill, H. 574, was lost, lacking a four-fifths vote.

Yeas 28; Nays 9.

Yeas:

Mr. Speaker	Cauthen	Jones (F)	St. John
Adams	Crawford	Manley	Stewart
Bassett	Cross	May	Stokes
Benton	Grey (D)	Owens	Stubbs
Brassell	Hardin	Porter	Weeks
Carnes	Headley	Pruitt	Williams
Carter	Jackson	Reed (T)	Wood

—28

Nays:

Messrs.:	Downing	Gafford	Waggoner
Barkett	Erdreich	Therrell	Wynot
Boles	Fite		

—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTIONS

The following resolutions introduced on the thirty-second legislative day were read by title pursuant to Joint Rule 12:

S. J. R. 91. HONORING JOHN SYDNEY COOK, JR.

S. J. R. 92. COMMENDING PAUL DAVIS FOR HIS OUTSTANDING WORK IN THE FIELD OF JOURNALISM.

S. J. R. 100. COMMENDING MISS GLADYS MARONA FOR A JOB WELL DONE.

H. J. R. 225. COMMENDING WILLIAM B. COOPER OF ROSINTON FOR HIS DILIGENT AND DEDICATED SERVICE TO THE PEOPLE OF BALDWIN COUNTY.

H. J. R. 226. MOURNING DEATH OF GEORGE HAMMERLY COPELAND

H. J. R. 227. EXPRESSING THE REGRET OF THE LEGISLATURE UPON THE DEATH OF MR. R. C. WILLIAMS

H. J. R. 231. COMMENDING JOHN SCOTT OF THE CAPITAL SECURITY FORCE FOR HIS EXCELLENT ATTITUDE IN THE PERFORMANCE OF HIS DUTIES

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

INTRODUCTION OF BILLS

Upon a call of counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Messrs. Cottingham and Turner (With Notice and Proof):

H. 2288. Authorizing the governing body of Dallas County to pay the members of the Board of Registrars additional compensation.

Local Legislation No. 1.

Notice and Proof H. 2288:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Authorizing the governing body of Dallas County to pay the members of the Board of Registrars additional compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the Dallas County Board of Registrars shall receive in addition to all other compensation provided for by law, the sum of \$5.00 per day for each day's attendance upon sessions of the board; and it shall be payable from the general fund of said county.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned was Business Manager of the Selma Times-Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks, said no-

tice having appeared in the issues of said paper on August 2, 9, 16, and 23, all in the year 1973.

HENRY H. LLOYD.

Sworn to and subscribed before me 24th day of August, 1973.

JOSEPHINE K. TIPTON,
Notary Public.

By Mr. St. John:

H. 2289. To prohibit the hunting of wild deer with a rifle or carbine in the County of Cullman, and prescribing the penalty for such offense.

Local Legislation No. 1.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Gray (F), Reed (T), Waldrop, Smith (P), Lyons, Edwards, Chesnut, Wynot, Downing, Bank, Barkett, Cauthen, Adams, Snell, Kinsey, Coshatt, Smith (K), May, Grainger, Robertson, Owens, Jones (F), Taylor, Culver, Parker, Boutwell, Stokes, Manley, Weeks, Doss and McNair:

H. J. R. 235. URGING CONGRESSIONAL ENACTMENT OF LEGISLATION ESTABLISHING THE TUSKEGEE INSTITUTE NATIONAL HISTORICAL PARK

WHEREAS, There is now pending in both Houses of the United States Congress, bills which would establish the Tuskegee Institute National Historical Park, on and around the grounds of that renowned educational institution at Tuskegee, Alabama; and

WHEREAS, Representative Bill Nichols, of Alabama has introduced said bill in the United States House of Representatives, and Senators John Sparkman and Jim Allen have introduced said bill in the United States Senate, and said bills have been supported by many other Congressmen; and

WHEREAS, Section I of said bill reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the Congress finds Tuskegee Institute, Tuskegee, Alabama to be of national importance in illustrating the advancement of education for black Americans under the leadership of such men as Booker T. Washington, its founder, and George Washington Carver, the noted agricultural scientist.

Therefore, in order to preserve and interpret to the public the historic properties at and near Tuskegee Institute, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to establish the Tuskegee Institute National Historical Park. The park shall be comprised of those lands and buildings on or adjacent to the Tuskegee Institute campus that the Secretary, in his discretion, deems to be of historical and cultural significance. The Secretary shall establish the park by publication of a notice to that effect in the Federal Register, when he deems it advisable.

WHEREAS, The Legislature of Alabama issued a Charter to Tuskegee Institute in 1881, and has since encouraged and assisted its development and growth by making annual appropriations to it, and takes pride in its accomplishments; and

WHEREAS, Tuskegee Institute's outstanding achievements in the fields of education, agriculture, vocational education, health care, veterinary medicine, and in the development of human resources, have greatly contributed to the progress and prosperity of the State of Alabama, and the nation; and

WHEREAS, The establishment of the Tuskegee Institute National Historical Park would be a most appropriate recognition of the rich legacy of its illustrious founder, Dr. Booker T. Washington, and its noted agricultural scientist, Dr. George Washington Carver; and

WHEREAS, It is in the best interest of the State of Alabama, and its residents, if the pending legislation in Congress should pass, and Congress would establish the Tuskegee Institute National Historical Park,

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the Alabama Legislature duly note the contributions of Tuskegee Institute to the State of Alabama, and to the nation, and applaud the United States Congress in its endeavors to establish the Tuskegee Institute National Historical Park.

BE IT FURTHER RESOLVED, That the Legislature of Alabama urges' the Congress to pass said bills establishing the Tuskegee Institute National Historical Park, and particularly urge the Alabama Congressional Delegation to assist in the passage of this legislation.

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to the following persons:

Honorable Bill Nichols, United States Representative, Alabama

Honorable John Sparkman, United States Senator, Alabama

Honorable Jim Allen, United States Senator, Alabama

All other members of the Alabama Congressional Delegation

All members of the "Committee on Interior and Insular Affairs" of the United States House of Representatives.

On motion of Mr. Gray (F), the rules were suspended and the resolution H. J. R. 235, was adopted.

Also:

By Messrs. Stokes, Jones (F), Hill, Nettles, St. John, Warren and Hale:

H. R. 236. Notice is hereby given in accordance with Rule 6 that on the next legislative day a motion will be made to amend the house rules by adding the following rule:

Members and officers of the legislature shall, not later than April 30, 1974 and by April 30 of each year thereafter, file with the Secretary of State a report disclosing certain financial interests as provided in this rule. The interest of a spouse or any other party, if constructively controlled by the per-

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son reporting, shall be considered to be the same as the interest of the person reporting. The report shall be in two parts as follows:

1. List the name, instrument or ownership, and position of management, if any, held in any business entity doing business with a governmental unit or agency, state, county or local, in which the ownership is in excess of \$5,000.00 fair market value as of the date of filing or from which income of \$1,000.00 or more is derived during the preceding calendar year.

2. List the name and address of any and all persons, firms or corporations from whom income of \$1,000.00 or more was derived during the preceding calendar year.

3. List any and all capital gains from the sale or exchange of real property during the preceding calendar year. Also, list all capital gains in excess of \$1,000.00 on the sale or exchange of personal property during the preceding calendar year.

4. List any and all reimbursement for expenditures exceeding \$500.00 received during the preceding calendar year.

5. List all honorariums received during the preceding calendar year, aggregating \$100.00 or more.

6. List separately all real property acquired during the preceding calendar year, giving the name and address of the seller, a description of the property and the consideration paid. Also, list all personal property of a value in excess of \$3,000.00 acquired during the preceding calendar year, furnishing the name and address of the seller and consideration paid. List separately all real property sold or transferred during the preceding calendar year, giving the name and address of the purchaser, a description of the property and the consideration paid. Also, list all personal property of a value in excess of \$3,000.00 sold or transferred during the preceding calendar year, furnishing the name and address of the purchaser and consideration paid.

7. List each creditor to whom the person reporting was indebted for a period of ninety consecutive days or more during the preceding calendar year in an aggregate amount in excess of \$3,000.00, excluding any indebtedness specifically secured by the pledge of assets of the person reporting.

8. If the member is engaged in a professional practice, a list of all clients from whom a fee of \$1,000.00 or more was received during the preceding calendar year shall be submitted.

9. In addition each member shall, not later than April 30, 1974 and on April 30 of each year thereafter, file a copy of his federal and state income tax return for the preceding calendar year with the Secretary of State.

Information filed hereunder shall be maintained by the Secretary of State and made available at reasonable hours to responsible public inquiry, subject to such regulations as the secretary may prescribe including, but not limited to, regulations requiring identification by name, occupation, address, and telephone number of each person examining information filed hereunder and the reason for each such inquiry.

The secretary shall promptly notify each person required to file a report under this rule of each instance of an examination of his report.

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. Stokes to suspend the rules in order to bring up for immediate consideration the resolution, H. R. 236, was lost, lacking a four-fifths vote.

Yeas 34; Nays 19.

Yeas:

Messrs.:	Culver	McDonald	Smith (P)	
Adams	Ellis	McMillan	Stewart	
Bank	Erdreich	McNair	Taylor	
Barron	Grainger	Nettles	Therrell	
Boutwell	Hearn	Porter	Turner	
Carnes	Hill	Roberts	Waldrop	
Carter	Jones (F)	St. John	Weeks	
Chesnut	King	Slate	Wynot	
Cottingham	Lutz	Smith (K)		—34

Nays:

Mr. Speaker	Collins	Fite	Reid (R)	
Barkett	Connell	Kinsey	Snell	
Bowers	Crawford	Mathews	Williams	
Brassell	Crowe	Merrill	Wood	
Casey	Downing	Naramore		—19

And the resolution, H. R. 236, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Turnham, Ellis, Grainger, Brassell and Adams:

H. J. R. 237. WHEREAS, James Ralph "Shug" Jordan has been head football coach at Auburn University for twenty-two years and has guided his teams to an enviable record of 156 victories during this time; and

WHEREAS, this record Coach Jordan has compiled ranks fourth in the nation in total victories and also ranks him fourth in the nation in winning percentage among active coaches with twenty or more years of service; and

WHEREAS, Coach Jordan is the only active coach in the Southeastern Conference who was coaching in any sport when the SEC was formed in 1933; and

WHEREAS, he has won many honors, including SEC Coach of the Year four times, and was runner-up in 1972 for NCAA National Coach of the Year; and

WHEREAS, his teams have participated in ten bowl games, five of which have taken place in the last five years and one of the most thrilling being the recent Gator Bowl victory over Colorado; and

WHEREAS, Coach Jordan has been far more than "just" a football coach at Auburn, giving of his time and talents throughout the years in any way which would further the institution; and

WHEREAS, his inspired leadership, high sense of morals, devotion to the total development of the individual, and his outstanding professional ethics have touched the lives of thousands, both directly and indirectly; and

WHEREAS, the Auburn University Board of Trustees has unanimously recommended at its meeting on August 23, 1973, that Cliff Hare Stadium be renamed "Jordan-Hare Stadium" in recognition of Coach Jordan's contribution to the University; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that in recognition of the unique contributions of Coach Jordan to the people of Alabama and his outstanding dedication to Auburn University, the stadium be designated, named and known as the Jordan-Hare Stadium.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Mrs. Evelyn Jordan, and to their children, Mrs. Tom Pilgreen, Miss Darby Jordan, and Mr. Ralph Jordan, Jr.

On motion of Mr. Turnham, the rules were suspended and the resolution, H. J. R. 237, was adopted.

Also:

By Mr. Drake:

H. J. R. 238. DECLARING LEGISLATIVE INTENT ON EDUCATORS' SALARY INCREASE

WHEREAS, the State Board of Education has directed in a resolution adopted on August 14, 1973 that the school term be increased from 175 to 180 days each year, and;

WHEREAS, the effect of said resolution could dilute the general salary increase which the Alabama Legislature approved for teachers and other public school personnel, and;

WHEREAS, this is contrary to the spirit and the intent of the increase in the state salary allocation for teachers approved by the Alabama Legislature and included in the regular Biennial Education Appropriations Act, and;

WHEREAS, teachers will support a longer school term provided they are not required to sign contracts to work more than the current 180-day contract period without additional compensation for the extra days,

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the State Board of Education, the State Superintendent of Education, local boards of education, and local superintendents be advised that the Legislature strongly feels that teachers are entitled to the full salary increase provided in Act 384 of the 1973 Regular Session of the Alabama Legislature, and any action by administrative authority to require additional work days without additional salary for days beyond the 180-day contract term negates the intent of the Legislature in approving the general salary increase for educators.

On motion of Mr. Drake, the rules were suspended and the resolution, H. J. R. 238, was adopted.

Also:

By Mr. Lyons:

H. J. R. 239. CHANGING THE NAME OF THE ALABAMA HIGH SCHOOL OF THE FINE ARTS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state institution now designated as the Alabama High School of the Fine Arts, created by Act. No. 1203, , H. J. R. 145, Regular Session, 1971 (Acts 1971, p. 2089), shall be hereafter designated and known as the Alabama School of Fine Arts.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor or as otherwise provided in Article 5, Section 125 of the Constitution.

On motion of Mr. Drake, the rules were suspended and the resolution, H. J. R. 239, was adopted.

Also:

By Mr. Lyons:

H. J. R. 240. CLARIFICATION OF LEGISLATIVE INTENT CONCERNING SALARY INCREASES FOR CERTAIN TEACHERS

WHEREAS, the Legislature has passed and the Governor has signed the Education Appropriation Bill, Senate Substitute for the Ways and Means Committee Substitute for H. B. 322, and

WHEREAS, the Act states, "It is provided that beginning with the fiscal year 1973-74, that in addition to the salary now received, and all other increments due, all teachers under the Minimum Program shall receive a salary increase as follows: Rank I teachers not less than one thousand one hundred and sixty dollars (\$1,160.00) per annum; Rank II teachers not less than one thousand dollars (\$1,000.00) per annum; Rank III teachers not less than eight hundred eight dollars (\$808.00) per annum; Rank IV teachers not less than six hundred eighty-one dollars (\$681.00) per annum; teachers holding Rank AA Certificates shall be paid six hundred dollars (\$600.00) per annum above the total amount paid to Rank I teachers with like experience; and any city or county board of education failing to comply herewith shall not be entitled to participate in the Minimum Program Fund," and

WHEREAS, the wording in the Act could possibly leave some question as to the intent of the Legislature concerning the increases for beginning or first-year teachers:

NOW, THEREFORE, BE IT RESOLVED by the Legislature, both Houses thereof concurring, that it is the intent of the Legislature that beginning teachers in the 1973-74 school year be given the raises applicable to their respective ranks over the amounts paid beginning teachers during the 1972-73 school year.

On motion of Mr. Drake, the rules were suspended and the resolution, H. J. R. 240, was adopted.

Also:

By Messrs. Jones (F), Taylor, Barron, Hobbie and Harris:

H. J. R. 241. MOURNING THE DEATH OF MRS. IRENE WELCH OF MONTGOMERY

WHEREAS, this legislature is saddened by the recent death of Mrs. Irene Welch of Montgomery. She was the lovely and gracious wife of the House of Representatives doorkeeper, Mr. Bill Welch; and

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WHEREAS, she contributed immeasurably to the civic life of her community. Among her many interests were active membership in the Eastern Star, White Shrine and Court Amaranth; and

WHEREAS, this marvelous lady had a deep sensitivity toward her fellow citizens. She was ever ready to contribute her efforts toward a worthy cause; now therefore;

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of a lovely and gracious lady, Mrs. Irene Welch of Montgomery, and that we extend our heartfelt sympathy to her family and friends.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to her husband, Mr. Bill Welch.

On motion of Mr. Jones (F), the rules were suspended and the resolution, H. J. R. 241, was adopted.

Also:

By Messrs. Jones (F), Barron, Taylor, Hobbie, Gray (F) and Harris:

H. J. R. 242. URGING PRESIDENT NIXON TO STOP EXPORTING FOOD PRODUCTS UNTIL THIS COUNTRY'S SUPPLY IS ADEQUATE AND UNTIL FOOD PRICES IMPROVE.

WHEREAS this country is annually exporting millions of bushels of grain and other food products to various nations of the world; and

WHEREAS the recent big increase in the export of grain and food products has caused the price of food to the average American citizen to greatly increase; and

WHEREAS many retired people and other persons on fixed incomes are suffering hardships and may soon be deprived of an adequate diet; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF COCURREING, That the federal government is hereby urged to impose an embargo on the export of grain and food products from this country until the price of food in this nation returns to its former reasonable levels.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to the President of the United States, the U.S. Secretary of Agriculture and the Congressional delegation from Alabama.

The resolution, H. J. R. 242, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Owen:

S. 311. To provide for the preservation, enhancement and development of the coastal areas of Alabama; to establish a board with responsibility and authority for developing, coordinating and maintaining a coastal are program; and to provide for the promulgation of regulations and provisions for the enforcement of this act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 311. Commerce and Transportation.

MOTION IN WRITING

Mr. Parker filed the following Notice in Writing:

Having voted with the prevailing side on adoption of Senate amendment to H. 1300, I now move to reconsider the vote by which the amendment was adopted.

MOTION TO RECONSIDER ADOPTED

Having previously filed a Notice In Writing and having voted with the prevailing side, Mr. Parker moved to reconsider the vote by which the House concurred in and adopted the Senate amendment to the bill, H. 1300, and the motion was adopted.

H. 1300 RECONSIDERED

On motion of Mr. Parker, the House non-concurred in the Senate amendment to the bill, H. 1300.

Yeas 40; Nays 0.

Yeas:

Messrs.:	Culver	King	Porter
Bank	Downing	Lutz	Roberts
Barron	Ellis	McDonald	Robertson
Bassett	Flippo	McMillan	Stewart
Benton	Grey (D)	Manley	Stubbs
Boles	Hardin	Merrill	Taylor
Carnes	Headley	Naramore	Therrell
Chesnut	Hearn	O'Daniel	Waldrop
Connell	Hobbie	Owens	Weeks
Crawford	Hughes	Parker	Williams
Cross			

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

COMMITTEE ON CONFERENCE

On motion of Mr. Parker, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 1300.

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. Robertson, Culver and Parker.

MOTION IN WRITING

Mr. Robertson filed the following Notice in Writing:

Having voted with the prevailing side on the vote by which S. B. 506 passed the House, I now move for a reconsideration thereof.

MOTION TO RECONSIDER ADOPTED

Having previously filed a Notice in Writing and having voted with the prevailing side, Mr. Robertson moved to reconsider the vote by which the bill, S. 506, was passed, and the motion was adopted.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Pruitt
Barron	Doss	King	Robertson
Bassett	Downing	Lutz	St. John
Boles	Edwards	McDonald	Slate
Boutwell	Fite	McMillan	Stewart
Bowers	Flippo	Mathews	Stubbs
Burgess	Grainger	May	Therrell
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Naramore	Waldrop
Chesnut	Hardin	O'Daniel	Weeks
Connell	Headley	Owens	Williams
Cottingham	Hearn	Parker	Wynot
Crawford	Hobbie	Porter	

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

S. 506 POSTPONED

On motion of Mr. Robertson, the bill, S. 506, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1955. To appeal Act No. 232, H. 253, Third Special Session 1971, (Acts 1971, p. 4501), entitled, "An Act Relating to Solicitor's or District Attorney's funds in judicial circuits consisting of one county and one county

having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census."

Also:

H. 1956. Relating to Madison County and the Twenty-Third Judicial Circuit; pertaining to Solicitor's or District Attorney's Fund.

Also:

H. 1957. To repeal Act No. 2314, S. 1086, Regular Session 1971, (Acts 1971, p. 3737), entitled, "An Act To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last federal decennial census."

Also:

H. 1958. Relating to Madison County; regulating further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court.

Also:

H. 1959. To repeal Act No. 896, H. 1594, Regular Session 1971, (Acts 1971, p. 1660), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the most recent federal decennial census to create a planning commission having certain powers, duties and regulations."

Also:

H. 1960. To repeal Act No. 1306, H. 2094, Regular Session 1971, (Acts 1971, p. 2251), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the 1970 or any subsequent federal decennial census, to create a Planning Commission having certain powers, duties and regulations."

Also:

H. 1961. Relating to the municipality of Huntsville in Madison County; authorizing the municipality to create a planning commission having certain powers, duties and regulations.

Also:

H. 1962. To repeal Act No. 1331, H. B. 2119, Regular Session 1971, (Acts 1971, p. 2280), entitled "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

Also:

H. 1963. To repeal Act No. 1477, S. B. 1013, Regular Session 1971, (Acts 1971, p. 2534), entitled, "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the

then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

Also:

H. 1964. Relating to Madison County; authorizing the court of county commissioners, board of revenue or other like governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Also:

H. 1965. To repeal Act No. 126, H. B. 393, Regular Session 1971, (Acts 1971, p. 404) entitled, "An Act To provide for appointment and compensation of a secretary for each judge of any circuit court in counties having a population of not less than 175,000 nor more than 300,000."

Also:

H. 1966. Relating to Madison County; providing for appointment and compensation of a secretary for each judge of the circuit court.

Also:

H. 1967. To repeal Act No. 1450, S. B. 971, Regular Session 1971, (Acts 1971, p. 2478), entitled "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to establish legal names for all county roads, and to set speed limits on county roads, consistent with state policy."

Also:

H. 1968. Relating to Madison County; authorizing the Board of County Commissioners to establish legal names for all county roads and to set speed limits on county roads, consistent with state policy.

Also:

H. 1969. To repeal Act No. 1392, H. 2307, Regular Session 1971, (Acts 1971, p. 2349), entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 960. Relating to St. Clair County, to provide for and create the St. Clair County Racing Commission for the regulating, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, terms of office, powers, and duties of the commission; to authorize and empower Racing Commission to issue revenue bonds for purpose of acquiring land and construction of race tracks; to prescribe certain qualifications for applicants for licenses; to provide for and regulate the parimutuel method of wagering within the enclosure of licensed race tracks; to provide for the levying of a special gross receipt tax on items sold on premises and the distribution thereof; to prescribe certain rules and regulations in addition to those that may be promulgated by the Racing Commission; to provide for the distribution and appropriation of licens fees, taxes, commissions, and other monies received under the provisions of the act; to provide for the refinancing or retirement of the bonds of indebtedness on the St. Clair County hospital; to provide for the creation of a scholarship trust fund and administration thereof; to provide certain penalties for the violation of this act and for other purposes relative thereto; to further define the intent of the act, and to provide for a referendum of the voters of the county on the question of whether the act will become effective in the county.

Also:

H. 1196. To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

Also:

H. 2044. Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, providing an annual expense allowance for the circuit clerks of such counties in lieu of and superseding all existing travel or other expense allowances heretofore prescribed by law for such officials.

Also:

H. 2065. To amend Section 19, Act No. 30, S. 5, 1963 Regular Session (Acts 1963, p. 404) which provided for demand for jury trial, so as to provide for a procedure for demanding a jury trial in Marshall County.

Also:

H. 1876. To amend Act No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, p. 1752), which provides for the institution and prosecution of misdemeanor cases for the County Court of Bibb County and authorizes, provides for and regulates certain procedures in such court before the Clerk of the Circuit Court, Ex-Officio Clerk of the County Court of Bibb County, amending the title and Section 1 of such Act so as: To provide that the same procedures may be followed in a Justice Court established in Bibb County as authorized in Act No. 2445, H. 2343 of the 1971 Regular Session

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(Acts 1971, p. 3907), if such a court is established, and that the Clerk of the Circuit Court shall serve Ex-Officio as Clerk of such Justice Court; and to provide that the Clerk shall be entitled to the fees prescribed so long as he is compensated on a fee basis, but that if the method of his compensation is changed to a salary basis, such fee shall continue to be collected and paid into the county treasury.

Also:

H. 2064. To permit the Court of County Commissioners, or any similar or successor governing body of Dallas County to supplement, from County funds, the salary of any Circuit Judge residing in said County and serving the Circuit Court of said County.

Also:

H. 2046. Applicable to any county having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to authorize such county to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred herein; and for other purposes.

Also:

H. 2047. Amending Section 3 of Act No. 729, H. 598, Regular Session 1953 (Acts 1953, p. 985) which provides airport zoning regulations, so as to exclude counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census.

Also:

H. 2060. To authorize and empower the Madison County Commission or other governing body of Madison County, Alabama, to establish a county-wide water and sewage system by the purchase of any existing water and/or sewage authority in the county, or by legally acquiring same through any other method; to authorize the commission of said county, by appropriate resolution, to provide for the issuance of the necessary municipal bonds to pay for the purchase and/or operation of such a county-wide system; to provide for the operation of such systems; to repeal conflicting laws.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1941. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney.

Also:

H. 1926. To repeal Act No. 2190, H. B. 2769, Regular Session 1971, (Acts 1971, P. 3504), entitled "An Act relating to all counties having a population of not less than 175,000 nor more than 300,000, according to the most recent and any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws."

Also:

H. 1927. Relating to Madison County; providing for the appointment and compensation of a bailiff for each judge of the County Court and repealing conflicting laws.

Also:

H. 1928. To repeal Act No. 2282, S. 1220, Regular Session 1971, (Acts 1971, p. 3683), entitled "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine."

Also:

H. 1929. To repeal Act No. 2189, H. 2768, Regular Session 1971, (Acts 1971, p. 3503), entitled, "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine."

Also:

H. 1930. Relating to Madison County; providing that the Family Court Division of the Circuit Court shall collect a filing fee for the filing of juvenile cases in such court and providing further the judges of such court may assess a fine against juveniles for the violation of law and providing for the disposition of such cost and fine.

Also:

H. 1931. To repeal Act No. 1199, H. 2111, Regular Session 1971, (Acts 1971, p. 2078), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations."

Also:

H. 1932. Relating to Madison County; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations of any of the provisions of this Act.

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Also:

H. 1933. To repeal Act No. 1479, S. 1019, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles in such counties and cities."

Also:

H. 1934. To repeal Act No. 1333, H. 2121, Regular Session 1971, (Acts 1971, p. 2282), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities."

Also:

H. 1935. Relating to Madison County and the City of Huntsville in Madison County; providing for the maintenance, management and operation of places of detention for juveniles.

Also:

H. 1936. To repeal Act No. 1327, H. B. 2115, Regular Session 1971, (Acts 1971, p. 2277), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

Also:

H. 1937. To repeal Act No. 1884, S. B. 1021, Regular Session 1971, (Act 1971, p. 3068), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks, which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

Also:

H. 1938. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for placing in the general fund of the county all surplus funds given to the District Attorney's office in the circuit by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in which such funds were paid in.

Also:

H. 1939. To repeal Act No. 1389, H. 2304, Regular Session 1971, (Acts 1971, p. 2340), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary of the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census."

Also:

H. 1940. To repeal Act No. 1492, S. 1088, Regular Session 1971, (Acts 1971, p. 2570), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census."

Also:

H. 2021. Relating to Madison County and any city or town located therein; providing that any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town located in the county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining approval of the State Superintendent of Banks.

Also:

H. 2003. To repeal Act No. 2225, H. 2689, Regular Session 1971 (Acts 1971, p. 3579), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

Also:

H. 2004. Relating to Madison County; regulating the costs and fees in the county courts.

Also:

H. 2005. To repeal Act No. 1390, H. B. 2305, Regular Session 1971 (Acts 1971, p. 2559), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 2075. To provide for the payment of expense allowances to members of the Board of Registrars, Jury Commission, and Board of Equalization of any county having a population of not less than 50,000 nor more than 52,500 according to the last federal decennial census.

Also:

H. 2072. Applicable to any county having a population of not less than 55,500 nor more than 56,500 according to the last federal decennial census; to provide an additional compensation for the members of the board of registrars of such county.

Also:

H. 2050. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

Also:

H. 1454. To authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than fifty-three (53,000) nor more than fifty-five (55,000) inhabitants according to the last or any subsequent Federal decennial census.

Also:

H. 1893. Relating to Houston County; to prevent nepotism in county service, prohibiting any officer or employee of the county or county agencies from appointing persons related to him to any office or position of profit with the county or any agency thereof, and prescribing penalties.

Also:

H. 1894. Relating to Houston County; to provide for the compensation of the judge of probate in said county, and repealing conflicting laws.

Also:

H. 2022. Relating to Winston County; authorizing and requiring the Judge of Probate of said county to hold an election for the purpose of annexing certain territory to the city of Haleyville, and prescribing the conduct of such election.

Also:

H. 2040. To provide that any incorporated municipality in Perry County shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when nuisance; to provide for public hearings; to provide for special assessment constituting a lien on the property involved, and for the collection of such assessments.

Also:

H. 1920. Relating to counties having populations of not less than 54,500 nor more than 56,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming

lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

Also:

H. 1874. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Also:

H. 442. To further amend Section 2 of Act No. 287, H. 193, First Special Session 1965 (Acts 1965, p. 395), which section relates to the compensation of members of the board of commissioners in cities having populations of not less than 175,000 nor more than 275,000 inhabitants, according to the last federal decennial census, so as to increase the compensation of said members.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING

And the bill:

S. 312. To provide for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in the City of Fairhope; authorizing the city council to create a parking authority or parking committee, and providing for its membership, authority and duties.

Was taken up.

Mr. Benton offered the following amendment to the bill:

Strike Section 13 and insert in lieu thereof the following:

Section 13. This act shall become effective upon approval by a majority of the qualified electors of the City of Fairhope who vote at a referendum to be held on the first Tuesday after the expiration of three months from the final adjournment of the current session of the legislature.

And the amendment was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Carnes	Crowe	Fite
Adwell	Carter	Culver	Goodwin
Barron	Chesnut	Downing	Grainger
Benton	Connell	Drake	Gray (F)
Boles	Coshatt	Edwards	Gray (D)
Boutwell	Cottingham	Ellis	Hale
Bowers	Crawford	Erdreich	Hardin
Burgess	Cross	Falkenburg	Headley

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Hearn	Mathews	Roberts	Stubbs
Hobbie	May	Robertson	Taylor
Hughes	Merrill	St. John	Therrell
Jones (F)	Naramore	Slate	Turner
King	Nettles	Smith (K)	Waldrop
Kinsey	O'Daniel	Smith (P)	Weeks
Lutz	Porter	Stewart	Wood
McCluskey	Pruitt	Stokes	Wynot
Manley			

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And the bill, S. 312 as thus amended, was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

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And the bill:

H. 2071. Relating to counties having a population of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of such counties, and providing for a rehabilitation board to supervise and administer the rehabilitation processes of this Act.

Was taken up.

Mr. Manley offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having a population of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census to provide for the total rehabilitation of certain persons, both male and female,

convicted of any type crime and sentenced to a term of confinement in certain jails of such counties, and providing for a rehabilitation board to supervise and administer the rehabilitation processes of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. DEFINITIONS.

(1) "Board" shall mean County Rehabilitation Board, and shall be composed of seven (7) members as follows: the director of the West Alabama Mental Health Center or his designated representative; the probate judge of the county; the sheriff of the county; the mayor of the largest municipality in such counties or his designated representative; the mayor of the second largest municipality of such counties or his designated representative; and two members of the county governing body of such counties or two representatives designated by such governing bodies.

(2) "Inmate" shall mean any person male or female convicted of a crime and sentenced to the county jail or to any city jail located within counties to which this Act applies.

Section 2. EXTENDED LIMITS OF CONFINEMENTS.

The Board shall adopt such written regulations and policies permitting the sheriff or the chief of police of any municipality in such counties to extend the limits of the place of confinement of an inmate, as to whom there is reasonable cause to believe he will know his trust, by authorizing him under prescribed conditions to leave the confines of the county or city jails unaccompanied by a custodial agent for a prescribed period of time to work at paid employment while continuing as an inmate in the jail in which he shall be confined except during the hours of his employment, and thereto and therefrom. Inmates shall participate in paid employment as the discretion of the Board.

Any rules, regulations or policies promulgated by the Board shall be written upon the minutes of the Board, and shall be acknowledged and signed by each member of the Board a minimum of 30 days before any such rules, regulations or policies can be implemented or utilized for any prisoner of any jail pursuant to the provisions of this Act.

Section 3. WAGES.

The employer of an inmate involved in work release shall pay the inmate's wages direct to the Board. The Board may adopt regulations concerning the disbursement of any earnings of the inmates involved in the work release program. The Board shall be authorized to withhold from the inmates earning, 20% of his or her gross earnings to pay such cost incident to the inmates confinement as the Board shall deem appropriate. After 20% has been deducted from the inmates gross pay the remainder of the inmates earnings shall be credited to his account in a local bank, and upon his release from confinement shall be turned over to the inmate. The Board may elect, however, to turn the remaining 80% of the inmate's earnings over to his family to be used by them in their support while an inmate is confined, provided the inmate, as well as the members of the inmate's family give written consent to this procedure, prior to the inmate's release into the work program.

Section 4. ESCAPE.

The willful failure of an inmate to remain within the extended limits of his confinement or to return within the time prescribed by the sheriff or chief of police, as the case may be, to the county or city jails, shall be deemed as an escape from the custody of said sheriff or chief of police and shall be punishable as provided by law for escaped prisoners.

Section 5. INVESTIGATION AND RECOMMENDATION.

Employees of the Board or persons designated by the Board are authorized to make investigation and recommendations pertaining to the validity of requests of job opportunities for inmates and to otherwise assist the sheriff or chief of police in the implementation of the program herein authorized.

Section 6. SECURING EMPLOYMENT.

The Board or members of the Board shall endeavor to secure employment for eligible inmates under this Act subject to the following:

(1) Such employment must be at a wage at least as high as the prevailing wage for similar work in the area or community where the work is performed in accordance with the prevailing working conditions in such area.

(2) Such employment shall not result in displacement of employed workers.

(3) Inmates eligible for work release shall not be employed as strike-breakers or in impairing any existing contracts.

(4) Exploitation of eligible inmates in any form is prohibited either as it might effect the community, the inmates, or the Board.

Section 7. EDUCATION.

The Board may at its discretion, allow any inmate, between the ages of 14 and 22 only, to participate in the release program to further the inmates education also. Under this section the inmate must follow all the rules set forth for other inmates participating in the work release program.

Section 8. FURLOUGHS.

The Board may adopt rules and allow the sheriff or chief of police to grant furloughs or leave time not to exceed 3 days or 72 hours for inmates that the Board deems deserving, subject to the following restriction:

Each furlough can only be granted with the recommendation of the sheriff or chief of police and must be approved in writing and signed by a majority of the Board members granting and approving such furlough.

Section 9. INMATE NOT AN AGENT OF STATE OR COUNTY.

No inmate granted privileges under the provisions of this Act shall be deemed to be an agent, employee or involuntary servant of the Board, State, County or municipality while involved in the free community or while going to and from employment, or other specified areas or while on furlough.

Section 10. The sheriff and chiefs of police or person or persons designated by the Board shall jointly prepare an annual report to be filed not later than sixty (60) days from the close of each fiscal year, a copy of said report

shall be filed with each of the following persons or agencies: the Board, the governing bodies to which this Act applies, the mayor and city governments which participate in the program, and to the circuit judge or judges serving such counties to which the Act applies.

Section 11. PENALTY CLAUSE.

Anyone violating any of the provisions of this Act shall be guilty of a misdemeanor.

Section 12. SEVERABILITY.

The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. REPEALER.

All laws or parts of laws which conflict with this Act are repealed.

Section 14. EFFECTIVE DATE.

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

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And the bill:

H. 2071. Relating to counties having a population of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in certain jails of such counties, and providing for a rehabilitation board to supervise and administer the rehabilitation processes of this Act.

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Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Gray (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

S. 76. To amend Code of Alabama 1940, Title 51, Sections 879 and 882, so as to withdraw and take away from the director of revenue of Jefferson County all duties, liabilities and responsibilities relative to the issuance, recording and reporting of marriage licenses, and to place such duties, liabilities and responsibilities on the probate judge of such county; and to provide for the transfer of marriage license records from the director of revenue of Jefferson County to the probate judge of such county.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Casey	Falkenburg	King
Adams	Chesnut	Fite	Kinsey
Adwell	Collins	Goodwin	Lutz
Agee	Connell	Grainger	McCluskey
Barkett	Coshatt	Gray (F)	McCorquodale
Barron	Cottingham	Gray (D)	McDonald
Bassett	Crawford	Hale	McMillan
Benton	Cross	Hardin	Manley
Boles	Culver	Harris	Mathews
Boutwell	Doss	Headley	May
Bowers	Downing	Hearn	Merrill
Brassell	Drake	Hobbie	Naramore
Callahan	Edwards	Hughes	Nettles
Carnes	Ellis	Jackson	O'Daniel
Carter	Erdreich	Jones (F)	Parker

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Porter	St. John	Stubbs	Wallace
Pruitt	Slate	Taylor	Weeks
Reed (T)	Smith (K)	Therrell	Williams
Reid (R)	Smith (P)	Turner	Wise
Reynolds	Snell	Turnham	Wood
Roberts	Stewart	Waggoner	Wynot
Robertson	Stokes	Waldrop	

—87

And the bill:

S. 694. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended) in any municipality located (in whole or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction or otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or personal or both) designed or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Gray (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2174. Relating to counties having populations of not less than 16,350 nor more than 16,650 according to the most recent federal decennial census, requiring all railroad operators operating in such counties to erect and maintain proper mechanical warning devices at all grade crossings in such counties.

Was taken up.

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H. 2174 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 2174, was postponed to the thirty-fourth legislative day.

And the bill:

H. 2175. Relating to counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, requiring all railroad operators operating in such counties to erect and maintain proper mechanical warning devices at all grade crossings in such counties.

Was taken up.

H. 2175 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 2175, was postponed to the thirty-fourth legislative day.

And the bill:

H. 2199. To repeal Act No. 165, H. 130, Third Special Session of 1971, (Acts 1971, p. 4413) entitled, "Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; to provide for the payment of a clerk hire allowance in the Probate Judge's office of such counties."

Was taken up.

H. 2199 POSTPONED

On motion of Mr. Casey, the bill, H. 2199, was postponed to the thirty-fourth legislative day.

And the bill:

H. 2246. To amend Section 2 and to further amend Sections 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 entitled "An Act to provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the police department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the Regular Session of the Legislature of 1923, as reenacted and amended: to include in said separate system dependents of said presently active employees: and to render said Act No. 502 inapplicable to said certain presently active employees and their dependants".

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Barkett

Barron
Bassett
Benton
Boles
Boutwell

Bowers
Brassell
Callahan
Carnes
Carter

Casey
Chesnut
Collins
Connell
Coshatt

Cottingham	Hardin	May	Snell
Crawford	Harris	Merrill	Stewart
Cross	Headley	Naramore	Stokes
Culver	Hearn	Nettles	Stubbs
Doss	Hobbie	O'Daniel	Taylor
Downing	Hughes	Parker	Therrell
Drake	Jackson	Porter	Turner
Edwards	Jones (F)	Pruitt	Turnham
Ellis	King	Reed (T)	Waggoner
Erdreich	Kinsey	Reid (R)	Waldrop
Falkenburg	Lutz	Reynolds	Wallace
Fite	McCluskey	Roberts	Weeks
Goodwin	McCorquodale	Robertson	Williams
Grainger	McDonald	St. John	Wise
Gray (F)	McMillan	Slate	Wood
Grey (D)	Manley	Smith (K)	Wynot
Hale	Mathews	Smith (P)	

—87

And the bill:

H. 2247. To amend Section 2, and to further amend Section 6 and 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Act of Alabama, 1966, Special Session Page 280 et seq.) Entitled "An Act To Provide A Separate Retirement And Relief System For Certain Of The Presently Active Employees Of The City Of Birmingham Who Entered The Service Of The Fire Department Of Said City Prior To September 19, 1939, And To Whom Is Applicable The Pension And Relief System Provided By Act No. 307 Of The 1943 Regular Session Of The Legislature Of Alabama, As Amended, An Act Number 22 Of The Second Special Session Of The Legislature of Alabama Of 1956, To Include In Said Separate System Dependents Of Said Presently Active Employees; And To Render Said Act No. 307 And Act Number 22 Inapplicable To Said Certain Presently Active Employees And Their Dependents."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Connell	Hale	May
Adams	Coshatt	Hardin	Merrill
Adwell	Cottingham	Harris	Naramore
Agee	Crawford	Headley	Nettles
Barkett	Cross	Hearn	O'Daniel
Barron	Culver	Hobbie	Parker
Bassett	Doss	Hughes	Porter
Benton	Downing	Jackson	Pruitt
Boles	Drake	Jones (F)	Reed (T)
Boutwell	Edwards	King	Reid (R)
Bowers	Ellis	Kinsey	Reynolds
Brassell	Erdreich	Lutz	Roberts
Callahan	Falkenburg	McCluskey	Robertson
Carnes	Fite	McCorquodale	St. John
Carter	Goodwin	McDonald	Slate
Casey	Grainger	McMillan	Smith (K)
Chesnut	Gray (F)	Manley	Smith (P)
Collins	Grey (D)	Mathews	Snell

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Stewart	Therrell	Waldrop	Wise
Stokes	Turner	Wallace	Wood
Stubbs	Turnham	Weeks	Wynot
Taylor	Waggoner	Williams	

—87

And the bill:

H. 2056. (With Amendments): To provide for additional costs and fees to be charged by the Judges of Probate, Sheriffs, the Registers in Equity, the Deputy Registers of the Domestic Relations Division of the Circuit Courts and the Clerk of the County Courts, for the filing, recording, issuance and service of legal papers in all counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the last or any subsequent federal census; and providing for the disposition of such additional costs and fees.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 2056 by deleting the synopsis in its entirety and inserting in lieu thereof the following synopsis:

"THIS BILL WILL GRANT THE GOVERNING BODIES OF SUCH COUNTIES COVERED IN THIS ACT THE AUTHORITY TO RAISE THE FEES AS STATED IN THIS ACT BUT NO MORE THAN WHAT THIS ACT CALLS FOR. THIS ACT SHALL COVER COUNTIES OF NOT LESS THAN 150,000 AND NOT MORE THAN 180,000."

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 2056 in the title by striking therefrom the following words:

"To provide for additional costs and fees to be charged"

And insert in lieu thereof the following words:

"To grant the county governing bodies covered in this Act the authority to raise additional costs and fees to be charged"

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

The question was then on the adoption of the amendment #3 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 2056 by striking therefrom the first paragraph of Section I and inserting in lieu thereof the following paragraph:

"The county governing bodies covered under the sections of this Act may grant the Judge of Probate in such counties the right and authority to charge and collect the following costs and fees:"

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Benton	Carter	Crawford
Adams	Boles	Casey	Cross
Adwell	Boutwell	Chesnut	Culver
Agee	Bowers	Collins	Doss
Barkett	Brassell	Connell	Downing
Barron	Callahan	Coshatt	Drake
Bassett	Carnes	Cottingham	Edwards

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Ellis	Jackson	O'Daniel	Stokes
Erdreich	Jones (F)	Parker	Stubbs
Falkenburg	King	Porter	Taylor
Fite	Kinsey	Pruitt	Therrell
Goodwin	Lutz	Reed (T)	Turner
Grainger	McCluskey	Reid (R)	Turnham
Gray (F)	McCorquodale	Reynolds	Waggoner
Grey (D)	McDonald	Roberts	Waldrop
Hale	McMillan	Robertson	Wallace
Hardin	Manley	St. John	Weeks
Harris	Mathews	Slate	Williams
Headley	May	Smith (K)	Wise
Hearn	Merrill	Smith (P)	Wood
Hobbie	Naramore	Snell	Wynot
Hughes	Nettles	Stewart	

—87

The question was then on the adoption of the amendment #4 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 2056 by striking the first paragraph of Section II and inserting in lieu thereof the following paragraph:

"In addition to all other costs and fees now authorized by law the county governing bodies covered under the sections of this Act may grant the Sheriff in such counties the right and authority to charge and collect the following costs and fees:"

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

The question was then on the adoption of the amendment #5 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 2056 by striking therefrom in Section I, the subsections G and H., and realphabetize subsequent subsections accordingly.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

The question was then on the adoption of the amendment #6 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 2056 by striking the first paragraph of Section III and inserting in lieu thereof the following paragraph:

"In addition to all other costs and fees now authorized by law the county governing bodies covered under the sections of this Act may grant the Registers in Equity of the Circuit Courts in such counties the right and authority to charge and collect the following costs and fees:"

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Callahan	Doss	Hale
Adams	Carnes	Downing	Hardin
Adwell	Carter	Drake	Harris
Agee	Casey	Edwards	Headley
Barkett	Chesnut	Ellis	Hearn
Barron	Collins	Erdreich	Hobbie
Bassett	Connell	Falkenburg	Hughes
Benton	Coshatt	Fite	Jackson
Boles	Cottingham	Goodwin	Jones (F)
Boutwell	Crawford	Grainger	King
Bowers	Cross	Gray (F)	Kinsey
Brassell	Culver	Grey (D)	Lutz

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McCluskey	O'Daniel	Slate	Turnham
McCorquodale	Parker	Smith (K)	Waggoner
McDonald	Porter	Smith (P)	Waldrop
McMillan	Pruitt	Snell	Wallace
Manley	Reed (T)	Stewart	Weeks
Mathews	Reid (R)	Stokes	Williams
May	Reynolds	Stubbs	Wise
Merrill	Roberts	Taylor	Wood
Naramore	Robertson	Therrell	Wynot
Nettles	St. John	Turner	

—87

The question was then on the adoption of the amendment #7 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 2056 by deleting the first paragraph of Section IV and inserting in lieu thereof the following paragraph:

"In addition to all other costs and fees now authorized by law the county governing bodies covered under the sections of this Act may grant the Circuit Courts in such counties the right and authority to charge and collect the following costs and fees:"

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

The question was then on the adoption of the amendment #8 reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 2056 by striking the first paragraph of Section V and inserting in lieu thereof the following paragraph:

"In addition to all other costs and fees now authorized by law the county governing bodies covered under the sections of this Act may grant the Clerks

of the County Courts in such counties the right and authority to charge and collect the following costs and fees:"

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Gray (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2056. To grant the county governing bodies covered in this Act the authority to raise additional costs and fees to be charged by the Judges of Probate, Sheriffs, the Registers in Equity, the Deputy Registers of the Domestic Relations Division of the Circuit Courts and the Clerk of the County Courts, for the filing, recording, issuance and service of legal papers in all counties having a population of not less than 150,000 nor more than 180,000 inhabitants according to the last or any subsequent federal census; and providing for the disposition of such additional costs and fees.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cross	Grainger
Adams	Callahan	Culver	Gray (F)
Adwell	Carnes	Doss	Gray (D)
Agee	Carter	Downing	Hale
Barkett	Casey	Drake	Hardin
Barron	Chesnut	Edwards	Harris
Bassett	Collins	Ellis	Headley
Benton	Connell	Erdreich	Hearn
Boles	Coshatt	Falkenburg	Hobbie
Boutwell	Cottingham	Fite	Hughes
Bowers	Crawford	Goodwin	Jackson

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Jones (F)	Merrill	Robertson	Turner
King	Naramore	St. John	Turnham
Kinsey	Nettles	Slate	Waggoner
Lutz	O'Daniel	Smith (K)	Waldrop
McCluskey	Parker	Smith (P)	Wallace
McCorquodale	Porter	Snell	Weeks
McDonald	Pruitt	Stewart	Williams
McMillan	Reed (T)	Stokes	Wise
Manley	Reid (R)	Stubbs	Wood
Mathews	Reynolds	Taylor	Wynot
May	Roberts	Therrell	

—87

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 209. RELATIVE TO ADJOURNMENT OF THE TWO HOUSES.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 233. RELATIVE TO ADJOURNMENT OF THE TWO HOUSES.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 2231. To amend Title 13, Section 125(75d), Code of Alabama, as amended relating to the payment of supplemental salaries by Montgomery County to deputy district attorneys in the fifteenth judicial circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Connell	Edwards
Adams	Bowers	Coshatt	Ellis
Adwell	Brassell	Cottingham	Erdreich
Agee	Callahan	Crawford	Falkenburg
Barkett	Carnes	Cross	Fite
Barron	Carter	Culver	Goodwin
Bassett	Casey	Doss	Grainger
Benton	Chesnut	Downing	Gray (F)
Boles	Collins	Drake	Grey (D)

Hale	McCorquodale	Reed (T)	Taylor
Hardin	McDonald	Reid (R)	Therrell
Harris	McMillan	Reynolds	Turner
Headley	Manley	Roberts	Turnham
Hearn	Mathews	Robertson	Waggoner
Hobbie	May	St. John	Waldrop
Hughes	Merrill	Slate	Wallace
Jackson	Naramore	Smith (K)	Weeks
Jones (F)	Nettles	Smith (P)	Williams
King	O'Daniel	Snell	Wise
Kinsey	Parker	Stewart	Wood
Lutz	Porter	Stokes	Wynot
McCluskey	Pruitt	Stubbs	

—87

And the bill:

H. 2248. To amend Section 7 of Act No. 283, S. 220, Third Special Session 1971 (Acts 1971, p. 4557), an act providing for the incorporation of an authority in any municipality having a population of not less than 70,000 nor more than 135,000 for the purpose of promoting aviation and providing airport facilities for such cities and for the counties in which such cities lie; so as to provide further for the qualifications of the directors of the corporation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2253. (With Amendment): Relating to every city which has a population of not less than 125,000 or more than 133,000 inhabitants, according to the last decennial census; providing for an employee's retirement system for the City of Montgomery which shall be in lieu of any existing acts or ordinances relative to any retirement system for the employees of said city.

Was taken up.

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The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend H. B. 2253 in the title by striking the words, "City of Montgomery" and inserting in lieu thereof the words, "cities covered under this Act".

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

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And the bill:

H. 2253. Relating to every city which has a population of not less than 125,000 or more than 133,000 inhabitants, according to the last decennial census; providing for an employee's retirement system for the cities covered under this Act which shall be in lieu of any existing acts or ordinances relative to any retirement system for the employees of said city.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cross	Grainger
Adams	Callahan	Culver	Gray (F)
Adwell	Carnes	Doss	Grey (D)
Agee	Carter	Downing	Hale
Barkett	Casey	Drake	Hardin
Barron	Chesnut	Edwards	Harris
Bassett	Collins	Ellis	Headley
Benton	Connell	Erdreich	Hearn
Boles	Coshatt	Falkenburg	Hobbie
Boutwell	Cottingham	Fite	Hughes
Bowers	Crawford	Goodwin	Jackson

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Jones (F)	Merrill	Robertson	Turner
King	Naramore	St. John	Turnham
Kinsey	Netties	Slate	Waggoner
Lutz	O'Daniel	Smith (K)	Waldrop
McCluskey	Parker	Smith (P)	Wallace
McCorquodale	Porter	Snell	Weeks
McDonald	Pruitt	Stewart	Williams
McMillan	Reed (T)	Stokes	Wise
Manley	Reid (R)	Stubbs	Wood
Mathews	Reynolds	Taylor	Wynot
May	Roberts	Therrell	

—87

And the bill:

H. 1861. Relating to Macon County, to amend Act No. 814, H. 1046, Regular Session 1969 (Acts 1969, p. 1465) so as to raise the fee for issuance of pistol permits by the sheriff and to further provide for the distribution and use of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Netties	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2074. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

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And the bill:

H. 2107. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

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And the bill:

H. 2172. To provide that any town of the state having a population of not less than 1,570 and not more than 1,625 according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such town to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

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And the bill:

H. 2182. To authorize employees of any county having a population of not less than 115,000 nor more than 150,000 inhabitants according to the most recent federal decennial census, and employees of any municipality within such county to join a labor union; to provide that no employer shall require such employee to abstain or refrain from membership as a condition of employment and to provide damages.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Agee	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

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Callahan	Fite	McDonald	Smith (K)
Carnes	Goodwin	McMillan	Smith (P)
Carter	Grainger	Manley	Snell
Casey	Gray (F)	Mathews	Stewart
Chesnut	Grey (D)	May	Stokes
Collins	Hale	Merrill	Stubbs
Connell	Hardin	Naramore	Taylor
Coshatt	Harris	Nettles	Therrell
Cottingham	Headley	O'Daniel	Turner
Crawford	Hearn	Parker	Turnham
Cross	Hobbie	Porter	Waggoner
Culver	Hughes	Pruitt	Waldrop
Doss	Jackson	Reed (T)	Wallace
Downing	Jones (F)	Reid (R)	Weeks
Drake	King	Reynolds	Williams
Edwards	Kinsey	Roberts	Wise
Ellis	Lutz	Robertson	Wood
Erdreich	McCluskey	St. John	Wynot
Falkenburg	McCorquodale	Slate	

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And the bill:

H. 2186. Relating to the boards of registrars in counties having populations of not less than 34,875 nor more than 36,000 according to the most recent federal decennial census, providing an additional expense allowance for the members of such boards.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

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And the bill:

H. 2191. (With Amendment): Relating to any county having a population of not less than 115,000 nor more than 150,000 inhabitants according

to the most recent federal decennial census; to further regulate the compensation and expense allowances of each member of the county governing body.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend H. B. 2191, Section 2 by striking the figures "\$1,800.00" and inserting in lieu thereof the figures "\$1,200.00".

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

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And the bill, H. 2191 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Carter	Ellis	Hughes
Adams	Casey	Erdreich	Jackson
Adwell	Chesnut	Falkenburg	Jones (F)
Agee	Collins	Fite	King
Barkett	Connell	Goodwin	Kinsey
Barron	Coshatt	Grainger	Lutz
Bassett	Cottingham	Gray (F)	McCluskey
Benton	Crawford	Grey (D)	McCorquodale
Boles	Cross	Hale	McDonald
Boutwell	Culver	Hardin	McMillan
Bowers	Doss	Harris	Manley
Brassell	Downing	Headley	Mathews
Callahan	Drake	Hearn	May
Carnes	Edwards	Hobbie	Merrill

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Naramore	Reynolds	Stewart	Waldrop
Nettles	Roberts	Stokes	Wallace
O'Daniel	Robertson	Stubbs	Weeks
Parker	St. John	Taylor	Williams
Porter	Slate	Therrell	Wise
Pruitt	Smith (K)	Turner	Wood
Reed (T)	Smith (P)	Turnham	Wynot
Reid (R)	Snell	Waggoner	

—87

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1970. To repeal Act No. 1488, S. 1083, Regular Session 1971, (Acts 1971, p. 2553), entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Also:

H. 1971. To repeal Act No. 202, S. 133, Third Special Session 1971, (Acts 1971, p. 4468), entitled, "An Act To amend Act No. 1392, H. 2307, 1971 Regular Session, creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Also:

H. 1972. Relating to Madison County; creating and establishing a county-wide personnel system; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; and providing penalties for violation of any of the provisions of this Act.

Also:

H. 1973. To repeal Act No. 1391, H. 2306, Regular Session 1971 (Acts 1971, p. 2571), entitled "An Act Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than

300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law."

Also:

H. 1974. To repeal Act No. 1329, H. 2117, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000 according to the 1960 or any subsequent federal decennial census."

Also:

H. 1975. To repeal Act No. 1478, S. 1015, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census."

Also:

H. 1976. Relating to Madison County; providing further for the compensation of election officials.

Also:

H. 1977. To repeal Act No. 895, H. B. 1593, Regular Session 1971, (Acts 1971, p. 1659), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any such municipalities."

Also:

H. 1954. Relating to Madison County; prescribing the maximum amount of compensation allowable to members of jury commissions.

Also:

H. 1953. To repeal Act No. 1509, S. 1025, Regular Session 1971, (Acts 1971, p. 2594), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

Also:

H. 1952. To repeal Act No. 1328, H. 2116, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties hav-

ing populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

Also:

H. 1951. To repeal Act No. 1330, H. 2118, Regular Session 1971, (Acts 1971, p. 2279), entitled, "An Act To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties."

Also:

H. 1950. Relating to the City of Huntsville in Madison County; providing for the election of a president and vice president of the city board of education.

Also:

H. 1949. To repeal Act No. 323, H. 416, Third Special Session 1971, (Acts 1971, p. 4612), entitled, "An Act Providing for the election of a president and vice president of the city board of education to such boards in cities having a population of not less than 135,000 nor more than 180,000 according to the last or any subsequent federal decennial census."

Also:

H. 1948. Relating to Madison County; permitting the county governing body to provide parking for certain persons and validating expenses incurred by the county governing body relative to parking prior to the passage of the Act.

Also:

H. 1947. To repeal Act. No. 234, H. 255, Third Special Session 1971 (Acts 1971, p. 4504), entitled, "An Act To apply only to counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Also:

H. 1946. To repeal Act No. 884, H. B. 1241, Regular Session 1969, (Acts 1969, v. 2, p. 1590), entitled, "An Act Relating to counties having populations of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Also:

H. 1945. To repeal Act No. 1481, S. 1024, Regular Session 1971, (Acts 1971, p. 2537), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Also:

H. 1944. To repeal Act No. 1325, H. 2110, Regular Session 1971, (Acts 1971, p. 2275), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Also:

H. 1943. Relating to the City of Huntsville in Madison County; and providing for the appointment of city recorders.

Also:

H. 1942. To repeal Act No. 1321, H. 2105, Regular Session 1971, (Acts 1971, p. 2272), entitled, "An Act Relating to city recorders; providing for appointment of recorders in cities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 2006. To repeal Act No. 1489, S. B. 1084, Regular Session 1971 (Acts 1971, p. 2341), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Also:

H. 2007. Relating to Madison County so as to further regulate the compensation of the members of the board of registrars; providing for payment of additional compensation from the county treasury.

Also:

H. 2008. To repeal Act No. 1332, H. B. 2120, Regular Session 1971 (Acts 1971, p. 2281), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

Also:

H. 2009. To repeal Act No. 1475, S. B. 1011, Regular Session 1971 (Acts 1971, p. 2516), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

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Also:

H. 2010. Relating to Madison County; pertaining to the registration of voters; providing for meeting days of the board of registrars; and providing for clerical assistants to be furnished to the board by county and city government.

Also:

H. 2011. To repeal Act No. 1877, H. 2112, Regular Session 1971 (Acts 1971, p. 3056), entitled, "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

Also:

H. 2012. To repeal Act No. 1902, S. 1020, Regular Session 1971, (Acts 1971, p. 3093), entitled "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

Also:

H. 2013. To repeal Act No. 1310, H. 2124, Regular Session 1971, (Acts 1971, p. 2258), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein."

Also:

H. 2014. To repeal Act No. 2490, S. 1016, Regular Session 1971 (Acts 1971, p. 3896), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

Also:

H. 2015. Relating to Madison County and the City of Huntsville; further regulating the sale of alcoholic beverages therein.

Also:

H. 2016. To repeal Act No. 1701, H. B. 2498, Regular Session 1971 (Acts 1971, p. 2859), entitled "An Act To authorize counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the most recent federal decennial census; to require building permits for any structures erected in said county; to authorize and provide a means to implement the provisions of said Act; to authorize funds necessary to implement this procedure."

Also:

H. 2017. Relating to Madison County; requiring building permits for any structures erected in said county; authorizing and providing means to implement the provisions of said Act; and authorizing funds necessary to implement this procedure.

Also:

H. 2018. To repeal Act No. 680, H. B. 954, Regular Session 1967, (Acts 1967, v. II, p. 1507), entitled, "An Act To fix the compensation of the judge of the county court in any county having a population of not less than 170,000 nor more than 300,000 according to the last or any succeeding federal census."

Also:

H. 2019. Relating to Madison County; fixing the compensation of the judge of the county court.

Also:

H. 2020. To repeal Act No. 24, H. 160, First Special Session 1964, (Acts 1964, p. 45), entitled, "An Act To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks."

Also:

H. 2001. To repeal Act No. 1491, S. 1087, Regular Session 1971, (Acts 1971, p. 2569), entitled "An Act To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 2002. To repeal Act No. 1912, S. 1091, Regular Session 1971 (Acts 1971, p. 3102), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

Also:

H. 2000. To repeal Act No. 1387, H. 2302, Regular Session 1971 (Acts 1971, p. 2330), entitled "An Act To confer upon the district attorney

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and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

Also:

H. 1999. Relating to Madison County; fixing and providing for a uniform and clothing allowance for deputies and members of the Sheriff's force.

Also:

H. 1998. To repeal Act No. 233, H. B. 254, Third Special Session 1971, (Acts 1971, p. 4503), entitled, "An Act to apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for a uniform and clothing allowance for deputies and members of the sheriff's force of such counties."

Also:

H. 1997. Relating to Madison County; providing an expense allowance for the Judge of the County Court and providing for an effective date for the operation of this Act.

Also:

H. 1996. To repeal Act No. 2192, H. B. 2771, Regular Session 1971, (Acts 1971, p. 3507), entitled, "An Act To provide an expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act."

Also:

H. 1995. To repeal Act No. 145, H. 131, First Special Session 1971 (Acts 1971, p. 231), entitled, "An Act To provide for the election of a seven member City Board of Education for any city having a population of not less than 135,000 nor more than 180,000 according to the most recent federal decennial census; and to provide for the terms of its members."

Also:

H. 1994. Relating to Madison County; providing that the Judge of Probate shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of the county.

Also:

H. 1993. To repeal Act No. 2283, S. B. 1221, Regular Session 1971, (Acts 1971, p. 3684), entitled "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmen's compensation benefits for all employees of such counties.

Also:

H. 1992. To repeal Act No. 2188, H. B. 2767, Regular Session 1971, (Acts 1971, p. 3502), entitled, "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

Also:

H. 1991. Relating to Madison County; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Also:

H. 1990. To repeal Act No. 1474, S. 1010, Regular Session 1971 (Acts 1971, p. 2514), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

Also:

H. 1988. Relating to Madison County; providing authority for the Board of County Commissioners to provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

Also:

H. 1987. To repeal Act No. 1448, S. B. 970, Regular Session 1971, (Acts 1971, p. 2471) entitled, "An Act To provide the Board of County Commissioners in any county having a population of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, may provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same here-with to the House:

H. 1986. To repeal Act No. 1883, S. 1014, Regular Session 1971, (Acts 1971, p. 3064), entitled, "An Act To provide for establishment and op-

eration of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases."

Also:

H. 1985. Relating to the City of Huntsville; providing that the city board of education shall adopt written policies with regard to education; providing the manner in which such policies shall be adopted; providing that such written policies shall be made available to all teachers employed by the board; and providing that such written policies and written amendments thereto shall be filed with the city superintendent of education.

Also:

H. 1984. To repeal Act No. 43, H. 72, Second Special Session 1971, (Acts 1971, p. 4180), entitled, "An Act To provide that the city board of education in all municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census, shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the city superintendent of education."

Also:

H. 1983. To repeal Act No. 897, H. B. 1595, Regular Session 1971 (Acts 1971, p. 1661), entitled, "An Act To authorize the governing bodies of all municipalities having population of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

Also:

H. 1982. Relating to Madison County; providing for the collection of a filing fee on instruments, documents and papers filed for records in the Probate Judge's office; and further providing that the county governing body may impose an additional filing fee for the filing and recording of the enumerated instruments.

Also:

H. 1981. To repeal Act No. 1901, S. B. 1018, Regular Session 1971 (Acts 1971, p. 3091), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

Also:

H. 1980. To repeal Act No. 1326, H. 2114, Regular Session 1971, (Act 1971, p. 2275), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

Also:

H. 1979. To repeal Act No. 238, H. B. 581, Regular Session 1961, (Acts 1961, V. 1, p. 268), entitled, "An Act To provide that the judges of probate of all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census, shall not collect fees for: (1) filing a claim against an estate and giving a receipt therefor, (2) attesting a satisfaction of a mortgage or vendor's lien, (3) approving, filing and recording an official bond, (4) filing and recording deeds or conveyances to the county, and (5) administering an affidavit."

Also:

H. 1978. To repeal Act No. 1305, H. B. 2093, Regular Session 1971, (Acts 1971, p. 2350), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session, 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

Also:

H. 2028. To provide that the provisions of Act No. 2234, S. 249, Regular Session 1971 (Acts 1971, p. 3592), which Act abolishes primary elections in all cities and towns having populations of less than 300,000 in Alabama, shall not apply to Etowah County.

Also:

H. 1275. Relating to all counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

Also:

H. 1740. Relating to all counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census; providing for supernumerary sheriffs in said county; and fixing the qualifications, compensation, status and tenure of office for said officials.

Also:

H. 2025. To amend Section 2 of Act #535, S. 528, regular session, 1965 (Acts, 1965, v. 1, p. 787), an Act relating to the duties and compensa-

tions of members of the County Commission of Bullock County, so as to provide a mileage allowance for the members of such Commission.

Also:

H. 2057. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, to prohibit the discharge of litter, specifically bottles and cans, sewage and any other trash or debris into the waters of such counties; to provide for enforcement and penalties for violations of the provisions of this act.

Also:

H. 2066. To make it a misdemeanor to pick wild sea oats on the beaches of counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 400. Relating to the practice of public accounting; to regulate the practice of public accounting; to create a State Board of Public Accountancy and to provide for its membership and to prescribe its powers and duties; to provide for the regulation, examination, investigation, registration, issuance of certificates and permits, and for the revocation or suspension of certificates, registrations, and permits; to provide fees and charges and for expenses of said Board, making appropriations, prescribing penalties for violations of the Act, and repealing conflicting laws.

Also:

H. 243. To create a State Board of Auctioneers which shall administer and enforce the licensing of auctioneers in this state; to provide that licensees keep certain records; to assess fees; and to provide penalties for violations of this act.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 2207. (With Amendment): Relating to any county having a population of not less than 115,000 nor more than 150,000, according to the most recent federal decennial census; regulating further the compensation of each bailiff of the circuit court.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend H. B. 2207, Section 2, by striking the words and figures "twelve hundred dollars (\$1,200)" therein and inserting in lieu thereof the following: "six hundred dollars (\$600)"

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

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And the bill, H. 2207 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

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And the bill:

H. 2212. To further amend Section 1 of Act No. 186, H. B. 241, First Special Session 1964 (Acts 1964, p. 252), as amended, which act regulates the pay of jurors in any county having a population of not less than 25,150 nor more than 26,500 inhabitants according to the most recent federal decennial census, so as to further regulate the compensation of such jurors.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2223. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the registration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 24,000 and not more than 24,800 according to the most recent federal decennial census.

Was taken up.

Mr. Edwards offered the following amendment to the bill:

Amend Section I at the end of the last sentence by adding the following: "unless a petition of approval by 50% of the licensed barbers is presented to the Secretary of State on or before May 1, 1974".

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Agee	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

Callahan	Fite	McDonald	Smith (K)
Carnes	Goodwin	McMillan	Smith (P)
Carter	Grainger	Manley	Snell
Casey	Gray (F)	Mathews	Stewart
Chesnut	Grey (D)	May	Stokes
Collins	Hale	Merrill	Stubbs
Connell	Hardin	Naramore	Taylor
Coshatt	Harris	Nettles	Therrell
Cottingham	Headley	O'Daniel	Turner
Crawford	Hearn	Parker	Turnham
Cross	Hobbie	Porter	Waggoner
Culver	Hughes	Pruitt	Waldrop
Doss	Jackson	Reed (T)	Wallace
Downing	Jones (F)	Reid (R)	Weeks
Drake	King	Reynolds	Williams
Edwards	Kinsey	Roberts	Wise
Ellis	Lutz	Robertson	Wood
Erdreich	McCluskey	St. John	Wynot
Falkenburg	McCorquodale	Slate	

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And the bill, H. 2223 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

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UNANIMOUS CONSENT GRANTED

At the request of Mr. Meeks, unanimous consent was granted for the Journal to show him voting "Yea" on all local bills.

And the bill:

H. 2224. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the registration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less

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than 12,700 and not more than 13,100 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2225. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to pay from the county general fund the employer's share of the social security tax for the member of the board of equalization.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Carnes	Drake	Headley
Adams	Carter	Edwards	Hearn
Adwell	Casey	Ellis	Hobbie
Agee	Chesnut	Erdreich	Hughes
Barkett	Collins	Falkenburg	Jackson
Barron	Connell	Fite	Jones (F)
Bassett	Coshatt	Goodwin	King
Benton	Cottingham	Grainger	Kinsey
Boles	Crawford	Gray (F)	Lutz
Boutwell	Cross	Grey (D)	McCluskey
Bowers	Culver	Hale	McCorquodale
Brassell	Doss	Hardin	McDonald
Callahan	Downing	Harris	McMillan

Manley	Pruitt	Smith (P)	Waggoner
Mathews	Reed (T)	Snell	Waldrop
May	Reid (R)	Stewart	Wallace
Merrill	Reynolds	Stokes	Weeks
Naramore	Roberts	Stubbs	Williams
Nettles	Robertson	Taylor	Wise
O'Daniel	St. John	Therrell	Wood
Parker	Slate	Turner	Wynot
Porter	Smith (K)	Turnham	

—87

And the bill:

H. 2226. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2227. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in counties having less than 16,350 nor more than 16,650 population according to the most recent Federal Decennial Census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Agee	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

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Callahan	Fite	McDonald	Smith (K)
Carnes	Goodwin	McMillan	Smith (P)
Carter	Grainger	Manley	Snell
Casey	Gray (F)	Mathews	Stewart
Chesnut	Grey (D)	May	Stokes
Collins	Hale	Merrill	Stubbs
Connell	Hardin	Naramore	Taylor
Coshatt	Harris	Nettles	Therrell
Cottingham	Headley	O'Daniel	Turner
Crawford	Hearn	Parker	Turnham
Cross	Hobbie	Porter	Waggoner
Culver	Hughes	Pruitt	Waldrop
Doss	Jackson	Reed (T)	Wallace
Downing	Jones (F)	Reid (R)	Weeks
Drake	King	Reynolds	Williams
Edwards	Kinsey	Roberts	Wise
Ellis	Lutz	Robertson	Wood
Erdreich	McCluskey	St. John	Wynot
Falkenburg	McCorquodale	Slate	

—87

And the bill:

H. 2230. To alter, rearrange and extend the corporate limits of the Town of Allgood, Alabama so as to annex certain territory to the town.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2232. To abolish the Lauderdale County Court; to provide for the transfer of cases now pending in said Lauderdale County Court to the court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as the District Court of Lauderdale County, defining its criminal and civil jurisdiction; providing it with officers, defining their

powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Was taken up.

Mr. Hill offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To abolish the Lauderdale County Court; to provide for the transfer of cases now pending in said Lauderdale County Court to the court hereby created; to create and establish in Lauderdale County, Alabama, a court to be known as the District Court of Lauderdale County, defining its criminal and civil jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office and the manner of their selection; regulating its procedures and process; prescribing costs and fees therein; to direct the county governing body to furnish quarters, books, forms, stationery, equipment and supplies requisite to the efficient function of the court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Lauderdale County Court created by Act No. 27, H. 102, Special Session 1964 (Acts 1964, p. 47) is hereby abolished.

Section 2. All cases now pending in said Lauderdale County Court hereby abolished shall be transferred to the court created by this act, together with all papers and judgment entries pertaining to said cases, and further proceedings thereon had in said court shall be as if such case or cases had originated therein.

Section 3. There is hereby established a court in and for said county which shall be called and known as the District Court of Lauderdale County. The District Court of Lauderdale County shall not be considered a court of record.

Section 4. The court established by this act shall have civil jurisdiction in cases at law in which the matter in controversy does not exceed one thousand dollars (\$1,000), exclusive of interest, attorney's fees, and costs, said jurisdiction to be concurrent with the jurisdiction of any other court in the county having jurisdiction in such cases.

Section 5. The court established by this act shall have original criminal jurisdiction of all misdemeanors committed in Lauderdale County, and all peace proceedings commenced in said county; full, complete, unlimited and exclusive jurisdiction over all juvenile matters in the county and it shall have preliminary jurisdiction of all felony, bastardy and peace proceedings cases and of all other criminal and quasi-criminal proceedings heretofore cognizable in justice of peace courts and exclusive and original jurisdiction of all cases arising under Article 3, Chapter 4, Title 34, Code of Alabama 1940, as amended.

The judge of said court shall be authorized to appoint a probation officer or officers who shall serve at the pleasure of the judge. The compensation of such officer shall be fixed by the judge, subject to the approval of the

county governing body, and the county's share of such compensation shall be paid out of the general fund of the county in the same manner as other county employees are paid.

Section 6. In all criminal cases in this court hereby established, wherein justices of the peace has jurisdiction prior to October 1, 1961, there shall not be charged a solicitor's fee. In all other criminal cases solicitor's fees shall be taxed and collected as provided for under the general laws of the State of Alabama for criminal cases. The district attorney of the eleventh judicial circuit or his assistant shall serve as prosecuting attorney for the court.

Section 7. The judge of the District Court of Lauderdale County must be a resident and qualified elector of Lauderdale County, admitted to the practice of law in the State of Alabama and not less than 25 years of age. The judge of the Lauderdale County Court, herein abolished, shall be the first judge of the District Court of Lauderdale County, herein created, and he shall serve as such judge until his successor is elected and qualified as herein provided. A judge of the court shall be elected by the qualified electors of Lauderdale County at the general election in November 1976, and every six years thereafter. He shall hold office for a term of six years from the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. The judge shall devote his full time to the duties of office and shall not engage in the practice of law in any court of this State or of the United States.

Section 8. The judge of the District Court of Lauderdale County shall receive a salary of twenty thousand dollars (\$20,000) per annum, payable in equal monthly installments out of the general fund of Lauderdale County, Alabama. The judge of such court may employ a clerk-secretary and fix the salary therefor at not more than \$500 per month, payable out of the general fund of the county. Said judge may also appoint a bailiff whose compensation shall be \$15 per day, payable out of the general fund of the county.

Section 9. The circuit court clerk of Lauderdale County shall be ex officio clerk of the District Court of Lauderdale County. Said clerk shall have the power to issue arrest warrants and shall also have all the powers and authority, both ministerial and judicial, which are now or which may hereafter be vested in the clerk of the circuit court of Lauderdale County. Said clerk shall be entitled to fees in all civil causes as hereinafter set out in section 13 and in all criminal cases the clerk shall be entitled to the same fees, and shall be paid in the same manner as are now or may hereafter be allowed to ex officio clerks of county courts, law and equity courts and courts of like jurisdiction under the general laws of the State of Alabama. Said clerk shall likewise be authorized to retain 5% of all fines collected by him as provided in item 16 of Section 198, Title 13, Code of Alabama 1940, as amended, which is provided for other circuit clerks, but such percentage shall be retained by said clerk only if he actually collects such fines. All of said costs and fees shall be paid into the general fund of Lauderdale County, Alabama. The county governing body may require a bond of the clerk not to exceed five thousand dollars (\$5,000).

Section 10. The clerk of the District Court of Lauderdale County shall keep a docket book or books in which he shall make fair and accurate entries of all causes brought before the court, and shall keep records of all the proceedings, including the service and return of process, the appearance of such parties as may appear, the fact of trial, the judgment, including damages, fine and sentence, with costs separately stated, the issuing of execution and to

whom issued, with the date thereof and the return thereon, and a memorandum of the items of all costs, including witness fees, which shall be in the same amount and paid in the same manner as now exists in the circuit court of Lauderdale County. The docket or a certified copy thereof shall be evidence of the matters therein stated.

The clerk shall also be under the duty to do any and all other acts necessary or incident to the efficient operation of the court created by this act.

Section 11. Said court shall be in session continuously from day to day. Cases may be set for trial at any time, and the judge may hold court at such times and places in the county as may be appropriate and conducive to the efficient operation of the court. The clerk of said court shall keep and maintain a trial calendar and the placing of any case on said trial calendar with the date of the trial shall be notice to all persons.

Section 12. (a) A civil action shall be commenced by the filing of a statement of a claim, including the last known address of the defendant, in concise form and free from technicalities.

(b) A notice to appear shall be served on the defendant to which shall be attached a copy of the statement of the claim, and such service shall be sufficient to give the court jurisdiction of the premises. The time for appearance shall be not more than ten days from the date of the service of said notice, after which time a hearing on the claim shall be had. All processes issued by the court shall be served by the sheriff of Lauderdale County or by registered or certified mail with return receipt, or by any person not a party to or otherwise interested in the suit, especially appointed by the judge for that purpose. For the services of such processes, the sheriff shall receive the same fees as are allowed by law to him for similar services performed in the circuit court.

(c) When notice is served by registered or certified mail, the clerk shall enclose a copy of the statement of claim, verification, if any there be, and notice in an envelope addressed to the defendant, at his last known address, prepay the postage and mail the same forthwith, noting on the record the day and hour of mailing. When the return receipt indicating that delivery has been made to the defendant is received, the clerk shall attach the same to the original statement of claim and it shall constitute prima facie evidence of service upon the defendant.

(d) When service is by a private individual, as above provided, he shall make proof of service by certification showing the time and place of service on the defendant.

(e) The plaintiff shall be entitled to a judgment by default, without further proof, upon failure of defendant to appear as ordered by the court. When the claim of the plaintiff is verified and for a liquidated amount damages may be assessed without further proof; when the amount is unliquidated, plaintiff shall be required to present proof of his damages.

In all suits brought for minors by their friends in which judgments are obtained and the money or property paid or delivered into court, the said money or property may be paid or delivered to the next friend bringing the suit to be for the use and benefit of the minor, and the said next friend is authorized to receipt and the court record or docket for same, which shall be binding on said minor.

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Section 13. The clerk shall be allowed a fee of \$3.50 in all cases in which the matter in controversy does not exceed \$100.00, and in all cases in which the matter in controversy exceeds \$100.00, the clerk shall be allowed a fee of \$6.00; provided, however, that in all proceedings of garnishment, replevin, and attachment the fee allowable to the clerk shall be \$7.00. In addition to all other costs, the clerk shall collect all other costs now or hereafter provided by law.

In all cases when the amount in controversy is \$500 or less, all fees and costs heretofore prescribed to be collected shall be prepaid by the plaintiff on the filing of the claim or on any subsequent action on an execution. The judge of the court shall be authorized to make reasonable rules and regulations as may be necessary to carry out the intent of this section, including rules and regulations for the taxing of court costs against the plaintiff when the claim is exaggerated, and may adjust the same in such manner as to make such costs compatible with existing law.

Section 14. (a) Immediately prior to the trial of any case, the judge shall make earnest effort to settle the controversy by conciliation. If the judge fails to induce the parties to settle their differences without a trial, he shall proceed with a hearing on the merits.

(b) The judge shall conduct the trial in such manner as to do substantial justice between the parties according to the rules of substantive law, and all rules and regulations relating to pleading, practice and procedure shall be liberally construed so as to administer justice.

(c) If the plaintiff fails to appear, the suit may be dismissed for want of prosecution, or defendant may proceed to a trial on the merits, or the case may be continued, as the judge may direct. If both parties fail to appear, the judge may continue the case, or order the same dismissed for want of prosecution, or may make any other just and proper disposition thereof as justice may require.

(d) All rules of practice with reference to process, pleading and practice adopted on July 3, 1973 known as the Alabama Rules of Civil Procedure, and as may be later amended, in civil cases, except as may otherwise herein be provided, shall be applicable to this court. Provided, the judge of the District Court of Lauderdale County is empowered to formulate and institute such different or additional rules as are necessary to the ends of justice and the expeditious disposition of litigation. Summons issued from the court in civil cases may be returnable on a day and time certain, provided that they must be executed at least three days before the return date thereof.

Section 15. The judge of said court shall forthwith from time to time make rules for a simple, inexpensive and speedy procedure to effectuate the purposes of this act and shall have full power to prescribe, modify and improve the civil forms to be used therein, including forms of writs of attachment, garnishment and replevin.

Section 16. (a) Certificates of judgments of the District Court of Lauderdale County may be recorded in the same manner, under the same conditions and when so registered, shall have the same effect as judgments in circuit courts.

(b) Upon judgment being entered in any cause, execution may thereupon be issued against the party against whom the judgment is rendered for

the amount of such judgment and costs, and such execution shall be directed to any sheriff or constable of the State of Alabama, and shall be of full force throughout the State.

Section 17. Prosecution for misdemeanors committed in Lauderdale County may be commenced in this court by making an affidavit before the judge or clerk of said court, or the proper municipal officer or clerk, warrant on said affidavit to be issued by said clerks or officers and when the defendant is arrested on such warrant, said cause shall go on the docket for trial, and be tried as though the defendant had been indicted by a grand jury. An amendment of the affidavit without the defendant's consent shall entitle the defendant to a continuance. The District Court of Lauderdale County shall be empowered to punish for contempt in the same manner and to the same extent as judges of the Circuit Courts.

Section 18. All court costs collected by the clerk of the District Court shall be paid into the county general fund.

Section 19. There shall be no right to trial by jury in the District Court of Lauderdale County, either in civil or criminal cases.

Section 20. Appeals from the rendition and entry of judgments by the District Court of Lauderdale County in both civil and criminal cases shall be taken within ten days from date of judgment to the circuit court of the county, in the same manner provided by law for the taking of appeals from county courts.

Section 21. The county governing body shall furnish suitable quarters for the court hereby established and provide the necessary forms, books, records, stationery, equipment, supplies and additional personnel required for the efficient functioning of the court.

Section 22. In the absence or recusal of the District Court judge, the clerk of the Circuit Court shall appoint an acting judge who shall be a licensed attorney in the State of Alabama, to so act in his stead.

Section 23. (a) Any municipality within Lauderdale County may elect by proper resolution of its governing body to come within the provisions of this act and to have the District Court assume exclusive jurisdiction of violations of its municipal ordinances, said jurisdiction in the District Court to become effective upon resolution duly adopted by the governing body of Lauderdale County.

(b) In any case in which the arrest is made or citation given by a municipal officer for an offense committed within the municipal jurisdiction of such officer, the fine shall be remitted to the general fund of said municipality. In all other cases said fine shall be remitted to the general fund of Lauderdale County.

Section 24. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 25. All laws or parts of laws which conflict with this act are repealed.

Section 26. This act shall become effective on January 1, 1974.

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And the substitute was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill, H. 2232 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2233. Relating to any county having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal

decennial census; regulating further the clerk hire allowance for the tax assessor and tax collector.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Gray (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2237. Relating to Talladega County; exempting said county from the provisions of Act No. 403, H. 330, 1971 Regular Session (Acts of 1971, p. 689), requiring the registration and licensing of barbers and barber apprentices.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Casey	Falkenburg	King
Adams	Chesnut	Fite	Kinsey
Adwell	Collins	Goodwin	Lutz
Agee	Connell	Grainger	McCluskey
Barkett	Coshatt	Gray (F)	McCorquodale
Barron	Cottingham	Gray (D)	McDonald
Bassett	Crawford	Hale	McMillan
Benton	Cross	Hardin	Manley
Boles	Culver	Harris	Mathews
Boutwell	Doss	Headley	May
Bowers	Downing	Hearn	Merrill
Brassell	Drake	Hobbie	Naramore
Callahan	Edwards	Hughes	Nettles
Carnes	Ellis	Jackson	O'Daniel
Carter	Erdreich	Jones (F)	Parker

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Porter	St. John	Stubbs	Wallace
Pruitt	Slate	Taylor	Weeks
Reed (T)	Smith (K)	Therrell	Williams
Reid (R)	Smith (P)	Turner	Wise
Reynolds	Snell	Turnham	Wood
Roberts	Stewart	Waggoner	Wynot
Robertson	Stokes	Waldrop	

—87

And the bill:

H. 2238. To relieve the probate judge of Talladega County of any liability concerning payments mistakenly made under the supposed authority of a repealed Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2243. To amend and reenact Act No. 1729, H. 2523, Regular Session 1971 (Acts 1971, p. 2894), which act provides for a Personnel Appeals Board for employees of St. Clair County and certain cities therein; so as to eliminate the provisions for employees of said cities within said county; to provide that the city representative to such board be eliminated and in lieu thereof let the St. Clair Hospital Board appoint a member to said Personnel Board; to provide that a violation of this act shall constitute a misdemeanor for any person who discusses a pending case of said personnel board with any member of the board; to provide for compliance with orders of the Board and contempt punishment for failure to comply.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2245. Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which bill relates to the Firemen's and Policemen's Pensions and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit for a fireman or policeman retiring on or after the effective date of this Amendatory Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Goodwin	McCluskey
Adams	Collins	Grainger	McCorquodale
Adwell	Connell	Gray (F)	McDonald
Agee	Coshatt	Grey (D)	McMillan
Barkett	Cottingham	Hale	Manley
Barron	Crawford	Hardin	Mathews
Bassett	Cross	Harris	May
Benton	Culver	Headley	Merrill
Boles	Doss	Hearn	Naramore
Boutwell	Downing	Hobbie	Nettles
Bowers	Drake	Hughes	O'Daniel
Brassell	Edwards	Jackson	Parker
Callahan	Ellis	Jones (F)	Porter
Carnes	Erdreich	King	Pruitt
Carter	Falkenburg	Kinsey	Reed (T)
Casey	Fite	Lutz	Reid (R)

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Reynolds	Smith (P)	Therrell	Weeks
Roberts	Snell	Turner	Williams
Robertson	Stewart	Turnham	Wise
St. John	Stokes	Waggoner	Wood
Slate	Stubbs	Waldrop	Wynot
Smith (K)	Taylor	Wallace	

—87

And the bill:

H. 2249. Relating to counties having a population of not less than 30,000 nor more than 33,575 inhabitants according to the most recent federal decennial census; to validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2250. Relating to Geneva County; prohibiting the sale of alcoholic beverages in certain places.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Barron	Bowers	Casey
Adams	Bassett	Brassell	Chesnut
Adwell	Benton	Callahan	Collins
Agee	Boles	Carnes	Connell
Barkett	Boutwell	Carter	Coshatt

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Cottingham	Hardin	May	Snell
Crawford	Harris	Merrill	Stewart
Cross	Headley	Naramore	Stokes
Culver	Hearn	Nettles	Stubbs
Doss	Hobbie	O'Daniel	Taylor
Downing	Hughes	Parker	Therrell
Drake	Jackson	Porter	Turner
Edwards	Jones (F)	Pruitt	Turnham
Ellis	King	Reed (T)	Waggoner
Erdreich	Kinsey	Reid (R)	Waldrop
Falkenburg	Lutz	Reynolds	Wallace
Fite	McCluskey	Roberts	Weeks
Goodwin	McCorquodale	Robertson	Williams
Grainger	McDonald	St. John	Wise
Gray (F)	McMillan	Slate	Wood
Grey (D)	Manley	Smith (K)	Wynot
Hale	Mathews	Smith (P)	

—87

And the bill:

H. 2251. Relating to counties having populations of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, providing for the salary of the judge of the county court of any such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2252. Applicable to any county having a population of not less than 115,000 nor more than 150,000 according to the last federal decennial census; to exempt registered nurses employed in any state tuberculosis hospital in such county from participating in the state civil service system.

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Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

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And the bill:

H. 2257. Relating to Chilton County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor and the tax collector; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and shall be subject to the recommendation and approval of the probate judge of said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Callahan	Doss	Hale
Adams	Carnes	Downing	Hardin
Adwell	Carter	Drake	Harris
Agee	Casey	Edwards	Headley
Barkett	Chesnut	Ellis	Hearn
Barron	Collins	Erdreich	Hobbie
Bassett	Connell	Falkenburg	Hughes
Benton	Coshatt	Fite	Jackson
Boles	Cottingham	Goodwin	Jones (F)
Boutwell	Crawford	Grainger	King
Bowers	Cross	Gray (F)	Kinsey
Brassell	Culver	Grey (D)	Lutz

McCluskey	O'Daniel	Slate	Turnham
McCorquodale	Parker	Smith (K)	Waggoner
McDonald	Porter	Smith (P)	Waldrop
McMillan	Pruitt	Snell	Wallace
Manley	Reed (T)	Stewart	Weeks
Mathews	Reid (R)	Stokes	Williams
May	Reynolds	Stubbs	Wise
Merrill	Roberts	Taylor	Wood
Naramore	Robertson	Therrell	Wynot
Nettles	St. John	Turner	

—87

And the bill:

H. 2261. Relating to any county having a population of not less than 26,725 nor more than 27,250 inhabitants, according to the most recent federal decennial census; further regulating the expense allowances of each member of the members of the county board of education.

Was taken up.

Mr. Reid (R) offered the following amendment to the bill:

Add the following to the end of the first sentence of Section 2, viz:

, which shall be in addition to any and all other compensation, salary and expense allowances provided for by law.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill, H. 2261 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Agee	Bassett	Boutwell
Adams	Barkett	Benton	Bowers
Adwell	Barron	Boles	Brassell

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Callahan	Fite	McDonald	Smith (K)
Carnes	Goodwin	McMillan	Smith (P)
Carter	Grainger	Manley	Snell
Casey	Gray (F)	Mathews	Stewart
Chesnut	Grey (D)	May	Stokes
Collins	Hale	Merrill	Stubbs
Connell	Hardin	Naramore	Taylor
Coshatt	Harris	Nettles	Therrell
Cottingham	Headley	O'Daniel	Turner
Crawford	Hearn	Parker	Turnham
Cross	Hobbie	Porter	Waggoner
Culver	Hughes	Pruitt	Waldrop
Doss	Jackson	Reed (T)	Wallace
Downing	Jones (F)	Reid (R)	Weeks
Drake	King	Reynolds	Williams
Edwards	Kinsey	Roberts	Wise
Ellis	Lutz	Robertson	Wood
Erdreich	McCluskey	St. John	Wynot
Falkenburg	McCorquodale	Slate	

—87

And the bill:

H. 2262. Relating to counties having a population of not less than 35,000 nor more than 38,000 according to the most recent federal decennial census; to provide further for the conduct of elections in such counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Connell	Hale	May
Adams	Coshatt	Hardin	Merrill
Adwell	Cottingham	Harris	Naramore
Agee	Crawford	Headley	Nettles
Barkett	Cross	Hearn	O'Daniel
Barron	Culver	Hobbie	Parker
Bassett	Doss	Hughes	Porter
Benton	Downing	Jackson	Pruitt
Boles	Drake	Jones (F)	Reed (T)
Boutwell	Edwards	King	Reid (R)
Bowers	Ellis	Kinsey	Reynolds
Brassell	Erdreich	Lutz	Roberts
Callahan	Falkenburg	McCluskey	Robertson
Carnes	Fite	McCorquodale	St. John
Carter	Goodwin	McDonald	Slate
Casey	Grainger	McMillan	Smith (K)
Chesnut	Gray (F)	Manley	Smith (P)
Collins	Grey (D)	Mathews	Snell

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Stewart
Stokes
Stubbs
Taylor

Therrell
Turner
Turnham
Waggoner

Waldrop
Wallace
Weeks
Williams

Wise
Wood
Wynot

—87

And the bill:

H. 2264. Relating to counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, providing an additional expense allowance for the coroners of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Bowers
Brassell
Callahan
Carnes
Carter
Casey
Chesnut
Collins
Connell
Coshatt
Cottingham
Crawford

Cross
Culver
Doss
Downing
Drake
Edwards
Ellis
Erdreich
Falkenburg
Fite
Goodwin
Grainger
Gray (F)
Grey (D)
Hale
Hardin
Harris
Headley
Hearn
Hobbie
Hughes
Jackson

Jones (F)
King
Kinsey
Lutz
McCluskey
McCorquodale
McDonald
McMillan
Manley
Mathews
May
Merrill
Naramore
Nettles
O'Daniel
Parker
Porter
Pruitt
Reed (T)
Reid (R)
Reynolds
Roberts

Robertson
St. John
Slate
Smith (K)
Smith (P)
Snell
Stewart
Stokes
Stubbs
Taylor
Therrell
Turner
Turnham
Waggoner
Waldrop
Wallace
Weeks
Williams
Wise
Wood
Wynot

—87

And the bill:

H. 2265. To abolish the Board of Revenue of Walker County, establish in lieu thereof a Walker County Commission and provide for election of a chairman and members of the Walker County Commission, for the nomination of members thereof from districts herein prescribed and to prescribe the functions jurisdiction, powers, and duties of such Walker County Commission and the chairman and members thereof.

Was taken up.

Mr. Crowe offered the following amendment to the bill:

Amend H. 2265 as follows:

Section 4. of said bill is hereby deleted and in lieu thereof the following is hereby substituted so that Section 4 of said act shall read as follows:

"Section 4. The chairman and members of the Walker County Commission shall each devote their entire time to the duties of their office. For

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the performance of their official duties the chairman and each associate member shall receive a salary of \$10,800.00 per annum. The salaries of the chairman and associate members shall be paid in equal monthly installments from any funds in the county treasury available for that purpose as provided by law and such salary shall be their entire compensation for their services."

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill, H. 2265 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Harris	Nettles
Adams	Cottingham	Headley	O'Daniel
Adwell	Crawford	Hearn	Parker
Agee	Cross	Hobbie	Porter
Barkett	Culver	Hughes	Pruitt
Barron	Doss	Jackson	Reed (T)
Bassett	Downing	Jones (F)	Reid (R)
Benton	Drake	King	Reynolds
Boles	Edwards	Kinsey	Roberts
Boutwell	Ellis	Lutz	Robertson
Bowers	Erdreich	McCluskey	St. John
Brassell	Falkenburg	McCorquodale	Slate
Callahan	Fite	McDonald	Smith (K)
Carnes	Goodwin	McMillan	Smith (P)
Carter	Grainger	Manley	Snell
Casey	Gray (F)	Mathews	Stewart
Chesnut	Grey (D)	May	Stokes
Collins	Hale	Merrill	Stubbs
Connell	Hardin	Naramore	Taylor

Therrell	Waggoner	Weeks	Wood
Turner	Waldrop	Williams	Wynot
Turnham	Wallace	Wise	

—87

And the bill:

H. 2271. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census, to form districts within their respective counties for the establishment and maintenance of a system for fighting and preventing fires, for the collection and disposal of trash, for supplying water services, for the collection and treatment and disposal of sewage, for the operation of emergency medical services including ambulance services, and for other similar local type services; and to provide for the administration of such services within such districts including the levy and collection of charges for such services.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2272. To prescribe means, in addition to the giving of bail bonds, by which a person charged with an offense in counties having populations of not less than 65,500 nor more than 75,200, according to the most recent federal decennial census, regardless of his financial or social status, may give security for appearance in order to secure his release instead of being needlessly detained pending his appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

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Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

S. 704. Relating to DeKalb County; fixing the salaries of Judge of Probate Court, Circuit Clerk, Tax Assessor, Tax Collector and Judge of Inferior Court, and to provide payment of such salaries; and providing for a referendum thereon.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

S. 803. Proposing an amendment to the Constitution of Alabama authorizing the levy and collection of a special property tax and the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas, and other recreational purposes.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

S. 804. To require the county commission or like governing body of Tuscaloosa County to call an election to determine the sentiment of the voters of the county: (1) relative to levying additional ad valorem tax for developing parks and multi-recreation areas or facilities, as authorized by the amendment to the Constitution of 1901 proposed by an Act of the 1973 Regular Session, and (2) relative to the incurring of a debt and the issuance of bonds as authorized in such amendment.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Boles	Chesnut	Doss
Adams	Boutwell	Collins	Downing
Adwell	Bowers	Connell	Drake
Agee	Brassell	Coshatt	Edwards
Barkett	Callahan	Cottingham	Ellis
Barron	Carnes	Crawford	Erdreich
Bassett	Carter	Cross	Falkenburg
Benton	Casey	Culver	Fite

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Goodwin	Kinsey	Porter	Stubbs
Grainger	Lutz	Pruitt	Taylor
Gray (F)	McCluskey	Reed (T)	Therrell
Grey (D)	McCorquodale	Reid (R)	Turner
Hale	McDonald	Reynolds	Turnham
Hardin	McMillan	Roberts	Waggoner
Harris	Manley	Robertson	Waldrop
Headley	Mathews	St. John	Wallace
Hearn	May	Slate	Weeks
Hobbie	Merrill	Smith (K)	Williams
Hughes	Naramore	Smith (P)	Wise
Jackson	Nettles	Snell	Wood
Jones (F)	O'Daniel	Stewart	Wynot
King	Parker	Stokes	

—87

And the bill:

S. 809. To amend Section 1 of Act No. 1737, H. 2566, Regular Session 1971 (Acts 1971, p. 2902), entitled: "An Act to alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described," so as to correct certain discrepancies in the description of the boundary lines.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

UNANIMOUS CONSENT GRANTED

At the request of Mr. Perloff, unanimous consent was granted for the Journal to show him voting "Yea" on all local bills.

And the bill:

S. 810. To amend Section 8 of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public De-

fender Office in all counties having a population of not less than 110,000 nor more than 150,000, by increasing the maximum annual compensation allowed to secretarial, stenographic and clerical assistants and providing for the positions of Investigators for the Public Defender Office and setting the maximum annual compensation therefor.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Gray (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

S. 812. Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Casey	Falkenburg	King
Adams	Chesnut	Fite	Kinsey
Adwell	Collins	Goodwin	Lutz
Agee	Connell	Grainger	McCluskey
Barkett	Coshatt	Gray (F)	McCorquodale
Barron	Cottingham	Grey (D)	McDonald
Bassett	Crawford	Hale	McMillan
Benton	Cross	Hardin	Manley
Boles	Culver	Harris	Mathews
Boutwell	Doss	Headley	May
Bowers	Downing	Hearn	Merrill
Brassell	Drake	Hobbie	Naramore
Callahan	Edwards	Hughes	Nettles
Carnes	Ellis	Jackson	O'Daniel
Carter	Erdreich	Jones (F)	Parker

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Porter	St. John	Stubbs	Wallace
Pruitt	Slate	Taylor	Weeks
Reed (T)	Smith (K)	Therrell	Williams
Reid (R)	Smith (P)	Turner	Wise
Reynolds	Snell	Turnham	Wood
Roberts	Stewart	Waggoner	Wynot
Robertson	Stokes	Waldrop	

—87

And the bill:

S. 816. Applicable to Conecuh County; to provide that no claim presented to the Conecuh County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

S. 822. Relating to all counties having populations of not less than 16,350 nor more than 16,650, providing an allowance for secretarial assistance for the register in equity under certain conditions.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Bassett	Callahan	Connell
Adams	Benton	Carnes	Coshatt
Adwell	Boles	Carter	Cottingham
Agee	Boutwell	Casey	Crawford
Barkett	Bowers	Chesnut	Cross
Barron	Brassell	Collins	Culver

Doss	Hearn	Naramore	Stewart
Downing	Hobbie	Nettles	Stokes
Drake	Hughes	O'Daniel	Stubbs
Edwards	Jackson	Parker	Taylor
Ellis	Jones (F)	Porter	Therrell
Erdreich	King	Pruitt	Turner
Falkenburg	Kinsey	Reed (T)	Turnham
Fite	Lutz	Reid (R)	Waggoner
Goodwin	McCluskey	Reynolds	Waldrop
Grainger	McCorquodale	Roberts	Wallace
Gray (F)	McDonald	Robertson	Weeks
Grey (D)	McMillan	St. John	Williams
Hale	Manley	Slate	Wise
Hardin	Mathews	Smith (K)	Wood
Harris	May	Smith (P)	Wynot
Headley	Merrill	Snell	

—87

And the bill:

S. 830. To amend Act No. 61, S. 151, Regular Session 1971 (Acts 1971, p. 324), which act creates the Etowah County Solid Waste and Park and Recreation Authority, so as to remove the state senator from Etowah County from membership of such Authority at the end of current term of office of said senator.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

S. 831. (With Amendment): Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; providing for the creation, establishment, operation, management and purchase of equipment of and for an animal shelter in such counties and for the appointment of a humane officer and necessary assistants.

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Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend Sections 2, 3 and 4 of Senate Bill 831 by adding the words "or other like society, group or association" immediately after the words "the Society for the Prevention of Cruelty to Animals" each time said words appear in said sections.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Gray (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill, S. 831 as thus amended, was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Casey	Falkenburg	King
Adams	Chesnut	Fite	Kinsey
Adwell	Collins	Goodwin	Lutz
Agee	Connell	Grainger	McCluskey
Barkett	Coshatt	Gray (F)	McCorquodale
Barron	Cottingham	Grey (D)	McDonald
Bassett	Crawford	Hale	McMillan
Benton	Cross	Hardin	Manley
Boles	Culver	Harris	Mathews
Boutwell	Doss	Headley	May
Bowers	Downing	Hearn	Merrill
Brassell	Drake	Hobbie	Naramore
Callahan	Edwards	Hughes	Nettles
Carnes	Ellis	Jackson	O'Daniel
Carter	Erdreich	Jones (F)	Parker

Porter	St. John	Stubbs	Wallace
Pruitt	Slate	Taylor	Weeks
Reed (T)	Smith (K)	Therrell	Williams
Reid (R)	Smith (P)	Turner	Wise
Reynolds	Snell	Turnham	Wood
Roberts	Stewart	Waggoner	Wynot
Robertson	Stokes	Waldrop	

—87

And the bill:

H. 2244. To establish a salary commission for Madison County, Alabama, for the purpose of submitting recommendations as to the salary and compensation for elected officials of Madison County, Alabama; to provide for the appointment of the members of said commission and the duties thereof; to otherwise provide for the implementation of this Act; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Gray (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 2228. To authorize and provide for the collecting of a twenty-five cent application or issuance fee to be charged by Judges of Probate, License Commissioners, Directors of the County Departments of Revenue, or other like public officer performing like duties relating to the application or issuance of motor vehicle licenses, driver's licenses or permits, marriage licenses, and transfers of motor vehicle licenses in all counties having a population of not less than 15,650 nor more than 16,200, according to the last or any succeeding federal census, and, provided further, however, that no affidavit fee of twenty-five cents presently prescribed by law in said counties shall be collected for affidavits taken or required in the course of the application or issuance of licenses or transfers.

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Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Robertson
Adams	Culver	King	St. John
Adwell	Doss	Kinsey	Slate
Agee	Downing	Lutz	Smith (K)
Barkett	Drake	McCluskey	Smith (P)
Barron	Edwards	McCorquodale	Snell
Bassett	Ellis	McDonald	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Stubbs
Boutwell	Fite	Mathews	Taylor
Bowers	Goodwin	May	Therrell
Brassell	Grainger	Merrill	Turner
Callahan	Gray (F)	Naramore	Turnham
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Parker	Wallace
Chesnut	Harris	Porter	Weeks
Collins	Headley	Pruitt	Williams
Connell	Hearn	Reed (T)	Wise
Coshatt	Hobbie	Reid (R)	Wood
Cottingham	Hughes	Reynolds	Wynot
Crawford	Jackson	Roberts	

—87

And the bill:

H. 1510. To provide for arbitration in order to settle disputes between policemen, firefighters and general classified employees and their public employers in any city having a population of 300,000 or more according to the most recent federal decennial census, specifically authorizing collective bargaining between policemen, firefighters and general classified employees and their public employers, and requiring compliance with collective bargaining agreements and findings of arbitrators.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 33; Nays 1.

Yeas:

Messrs.:	Cross	King	Slate
Bank	Culver	McMillan	Smith (K)
Barron	Downing	Nettles	Snell
Boutwell	Ellis	Porter	Stokes
Callahan	Goodwin	Pruitt	Therrell
Carnes	Gray (F)	Roberts	Timmons
Carter	Hearn	Robertson	Weeks
Chesnut	Hobbie	St. John	Wood
Coshatt	Jackson		

—33

Nay: Mr. Meeks.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 2259. To amend the Title and Sections 3, 10, 11, 14 and 16 of Act No. 2079 adopted at the 1971 Regular Session of the Legislature of Alabama, pertaining to municipal parking authorities incorporated in cities having a population of 300,000 or more according to the last or any subsequent federal census, which sections relate to the definitions set forth in said act, the powers of such authorities, the operation or leasing of parking facilities by such authorities, the bonds of such authorities and security therefor, so as to clarify and grant additional powers regarding the issuance of bonds, the security therefor, the leasing and sale of such facilities and other matters and to provide that any such authority now or hereafter incorporated shall have all rights, powers and privileges granted in said act as amended, notwithstanding subsequent changes in the population of the city authorizing its incorporation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 44; Nays 1.

Yeas:

Messrs.:	Crawford	Hearn	Roberts
Bank	Cross	Hobbie	Slate
Barkett	Culver	Jones (F)	Smith (K)
Barron	Doss	King	Snell
Bassett	Downing	Lutz	Stokes
Boutwell	Erdreich	McCluskey	Taylor
Callahan	Falkenburg	McMillan	Timmons
Carnes	Grainger	McNair	Turner
Carter	Gray (F)	Meeks	Weeks
Cauthen	Hale	Porter	Wood
Chesnut	Hardin	Reed (T)	Wynot
Cottingham			

—44

Nay: Mr. Hughes.

—1

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 2147. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 300,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 30; Nays 3.

Yeas:

Messrs.:	Bassett	Callahan	Cottingham
Adwell	Boles	Carnes	Cross
Barron	Bowers	Carter	Downing

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Drake	Hughes	Roberts	Timmons	
Ellis	King	Smith (K)	Waggoner	
Grainger	Meeks	Snell	Wood	
Hale	Perloff	Stokes	Wynot	
Hardin	Porter	Taylor		—30
Nays: Messrs. Erdreich, McBride and McNair.				—3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1061. To provide salary increases for state employees; and to appropriate funds therefor.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hobbie, the House concurred in and adopted the Senate amendment to the bill, H. 1061, said Senate amendment being as follows:

In the synopsis delete the word "all" in the sixth line where it appears between the words "for" and "state" and insert in lieu thereof the word certain

In the title insert the word certain in the first line of the title between the words "for" and "State"

Insert a new Section 2 as follows and renumber the existing sections accordingly:

Section 2. The provisions of this act shall not apply to any merit system employee whose service or rates of pay are covered by any labor agreement or contract.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Callahan	Downing	Grey (D)
Adwell	Carnes	Drake	Hale
Bank	Carter	Edwards	Hardin
Barkett	Chesnut	Ellis	Harris
Barron	Collins	Erdreich	Hearn
Bassett	Connell	Falkenburg	Hobbie
Benton	Coshatt	Fite	Hughes
Boles	Cottingham	Gafford	Jones (F)
Boutwell	Cross	Goodwin	King
Bowers	Culver	Grainger	Kinsey
Brassell	Doss	Gray (F)	Lutz

McBride	Mims	Robertson	Turner
McCluskey	Parker	St. John	Waldrop
McDonald	Perloff	Slate	Wallace
McMillan	Porter	Smith (K)	Warren
McNair	Pruitt	Smith (P)	Weeks
Manley	Reed (T)	Snell	Williams
Mathews	Reid (R)	Stokes	Wood
Meeks	Reynolds	Therrell	Wynot
Merrill	Roberts	Timmons	

—79

And the bill:

H. 1061. To provide salary increases for certain state employees; and to appropriate funds therefor.

As thus amended, was again read at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Robertson
Adams	Drake	McBride	St. John
Adwell	Edwards	McCluskey	Slate
Bank	Ellis	McDonald	Smith (K)
Barkett	Erdreich	McMillan	Smith (P)
Barron	Falkenburg	McNair	Snell
Bassett	Fite	Manley	Stewart
Benton	Gafford	Mathews	Stokes
Boles	Goodwin	May	Taylor
Boutwell	Grainger	Meeks	Therrell
Bowers	Gray (F)	Merrill	Timmons
Brassell	Grey (D)	Mims	Turner
Callahan	Hale	Naramore	Turnham
Carnes	Hardin	Owens	Waldrop
Carter	Harris	Parker	Wallace
Chesnut	Hearn	Perloff	Warren
Connell	Hobbie	Porter	Weeks
Coshatt	Hughes	Pruitt	Williams
Cottingham	Jackson	Reed (T)	Wise
Cross	Jones (F)	Reid (R)	Wood
Culver	King	Reynolds	Wynot
Doss	Lang	Roberts	

—87

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1081. To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Timmons, the House concurred in and adopted the Senate amendment to the bill, H. 1081, said Senate amendment being as follows:

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Amend Section 1 of H. B. 1081 by deleting the words and figure "Nineteen Thousand Dollars (\$19,000.00)" and inserting in lieu thereof the following words and figure:

"Seventeen Thousand Five Hundred Fifty-six Dollars (\$17,556.00)".

Further amend H. B. 1081 by deleting in its entirety Section 4 and substituting in lieu thereof a new Section 4 so as to read as follows:

"Section 4. This act shall become effective upon its approval by the Governor or upon its otherwise becoming law, but in no event prior to 1977."

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Doss	Lang	Robertson
Adams	Downing	Lutz	St. John
Adwell	Drake	McBride	Slate
Bank	Erdreich	McCluskey	Smith (K)
Barkett	Falkenburg	McDonald	Smith (P)
Barron	Fite	McMillan	Snell
Bassett	Flippo	McNair	Stewart
Benton	Gafford	Manley	Stokes
Boles	Goodwin	Mathews	Taylor
Boutwell	Grainger	May	Therrell
Brassell	Gray (F)	Meeks	Timmons
Callahan	Gray (D)	Merrill	Turner
Carnes	Hardin	Mims	Turnham
Carter	Harris	Parker	Waldrop
Casey	Hearn	Perloff	Wallace
Chesnut	Hill	Porter	Warren
Collins	Hobbie	Pruitt	Weeks
Coshatt	Hughes	Reed (T)	Williams
Cottingham	Jackson	Reid (R)	Wise
Cross	King	Reynolds	Wood
Culver	Kinsey	Roberts	Wynot

—84

And the bill, H. 1081 as thus amended, was again read at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hobbie	Merrill
Adwell	Cross	Hughes	Mims
Barkett	Culver	Jackson	Perloff
Barron	Doss	King	Porter
Bassett	Downing	Kinsey	Pruitt
Benton	Drake	Lang	Reed (T)
Boles	Erdreich	Lutz	Reynolds
Boutwell	Falkenburg	McBride	Roberts
Brassell	Fite	McCluskey	Robertson
Callahan	Flippo	McDonald	St. John
Carnes	Grainger	McMillan	Slate
Carter	Gray (F)	McNair	Smith (K)
Casey	Gray (D)	Manley	Smith (P)
Chesnut	Hale	Mathews	Snell
Collins	Hearn	May	Stewart
Connell	Hill	Meeks	Taylor

Therrell
Timmons
Turner

Waldrop
Wallace
Warren

Weeks
Williams
Wise

Wood
Wynot

—75

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 111. Relating to counties having a population in excess of 600,000 inhabitants; providing that retail and wholesale automotive parts businesses, antique dealers, flea markets, gift shops, and shops operated at public parks, public airports, public auditoriums and civic centers or bowling alleys in such counties may operate on Sunday.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gafford, the House concurred in and adopted the Senate amendment to the bill, H. 111, said Senate amendment being as follows:

Amend H. 111 as amended by deleting from the title the words, "retail and wholesale", and inserting immediately before the words "public parks" the word, "hospitals".

Further amend said H. 111 as amended by deleting in Section 1 thereof the words, "retail or wholesale" and further by inserting immediately before the words "public parks" the word "hospitals".

Yeas 74; Nays 0.

Yeas:

Mr. Speaker
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Bowers
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham
Cross

Downing
Drake
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Culver
Grainger
Gray (F)
Gray (D)
Hale
Hardin
Hearn
Hill
Hobbie

Hughes
King
Kinsey
Lang
Lutz
McBride
McCluskey
McMillan
McNair
Manley
Mathews
May
Meeks
Merrill
Mims
Perloff
Porter
Reed (T)

Reid (R)
Reynolds
Roberts
Robertson
Slate
Smith (K)
Snell
Stewart
Stokes
Taylor
Therrell
Turner
Waldrop
Warren
Weeks
Williams
Wood
Wynot

—74

And the bill:

H. 111. Relating to counties having a population in excess of 600,000 inhabitants; providing that automotive parts businesses, antique dealers, flea

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markets, gift shops, and shops operated at hospitals, public parks, public airports, public auditoriums and civic centers or bowling alleys in such counties may operate on Sunday.

As thus amended, was again read at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cross	Hobbie	Pruitt
Adams	Culver	Hughes	Reed (T)
Adwell	Doss	King	Reid (R)
Barkett	Downing	Kinsey	Reynolds
Barron	Drake	Lang	Roberts
Bassett	Ellis	Lutz	Robertson
Benton	Erdreich	McBride	St. John
Boles	Falkenburg	McCluskey	Smith (K)
Boutwell	Fite	McDonald	Snell
Bowers	Flippo	McMillan	Stewart
Callahan	Gafford	McNair	Stokes
Carnes	Goodwin	Manley	Taylor
Carter	Grainger	Mathews	Therrell
Casey	Gray (F)	May	Turner
Chesnut	Grey (D)	Meeks	Waldrop
Collins	Hale	Merrill	Warren
Connell	Harris	Mims	Weeks
Coshatt	Hearn	Perloff	Wood
Cottingham	Hill	Porter	Wynot

—76

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1189. To amend Section 4, Act No. 571, Acts of Alabama 1967, page 1324, approved September 8, 1967, to further provide for the compensation of the Assistant or Associate Judge of Probate in counties having 600,000 or more population.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Gafford, the House non-concurred in the Senate amendment to the bill, H. 1189, said Senate amendment being as follows:

Amend Section 1 of H. B. 1189 by deleting the words and figure "Twenty-four Thousand (\$24,000.) Dollars" and inserting in lieu thereof "Twenty-Five Thousand Two Hundred Seventy Dollars (\$25,270.00)".

Further amend H. B. 1189 by deleting in its entirety Section 3 and inserting in lieu thereof the following:

"Section 3. This Act shall become effective on January 1, 1977, after its passage and approval by the Governor, or upon its otherwise becoming a law."

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Cross	Hughes	Porter
Adams	Culver	King	Pruitt
Adwell	Downing	Kinsey	Reed (T)
Barkett	Edwards	Lutz	Reynolds
Barron	Ellis	McBride	Roberts
Bassett	Erdreich	McCluskey	St. John
Benton	Falkenburg	McDonald	Smith (K)
Boles	Flippo	McMillan	Snell
Boutwell	Gafford	McNair	Stewart
Bowers	Grainger	Manley	Stokes
Callahan	Grey (D)	Mathews	Waldrop
Carnes	Hale	May	Wallace
Carter	Hardin	Meeks	Weeks
Casey	Hearn	Merrill	Wood
Collins	Hill	Perloff	Wynot
Cottingham			

—61

COMMITTEE ON CONFERENCE

On motion of Mr. Gafford, a Committee of Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 1189.

The Speaker of the House named as the Committee of Conference on the part of the House, Messrs. Gafford, Meeks and Doss.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1049. To fix the compensation or salaries of Circuit Clerk in Counties of 600,000 inhabitants or more, according to the last or any subsequent Federal Census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Waggoner, the House concurred in and adopted the Senate amendment to the bill, H. 1049, said Senate amendment being as follows:

Amend Section 1 of H. B. 1049 by deleting the figure "\$21,300.00" and inserting in lieu thereof the figure "\$21,280.00".

Further amend H. B. 1049 by deleting in its entirety Section 2 and inserting in lieu thereof a new Section 2 to read as follows:

"Section 2. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a Law, but in no event prior to 1977."

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Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Roberts
Adams	Culver	Kinsey	St. John
Adwell	Doss	Lang	Smith (K)
Agee	Downing	Lutz	Smith (P)
Bank	Edwards	McBride	Snell
Barkett	Ellis	McCluskey	Stewart
Barron	Erdreich	McDonald	Stokes
Bassett	Falkenburg	McMillan	Therrell
Benton	Fite	McNair	Turner
Boles	Flippo	Mathews	Turnham
Boutwell	Gafford	May	Waldrop
Bowers	Grainger	Meeks	Wallace
Callahan	Grey (D)	Merrill	Warren
Carnes	Hardin	Parker	Weeks
Carter	Harris	Porter	Williams
Chesnut	Hearn	Pruitt	Wood
Collins	Hill	Reed (T)	Wynot
Cottingham	Hughes	Reid (R)	

—71

And the bill, H. 1049 as thus amended, was again read at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	Reed (T)
Adams	Culver	Hobbie	Reid (R)
Adwell	Downing	Hughes	Reynolds
Agee	Edwards	Jackson	Roberts
Bank	Ellis	King	St. John
Barkett	Erdreich	Kinsey	Smith (K)
Barron	Falkenburg	Lang	Snell
Bassett	Fite	Lutz	Stewart
Boles	Flippo	McBride	Stokes
Boutwell	Gafford	McDonald	Therrell
Bowers	Goodwin	McMillan	Turnham
Callahan	Grainger	McNair	Waldrop
Carnes	Grey (D)	Mathews	Wallace
Carter	Hale	May	Weeks
Cauthen	Hardin	Meeks	Williams
Chesnut	Harris	Merrill	Wood
Collins	Hearn	Perloff	Wynot

—68

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 635. To amend Title 13, Section 199(2), Code of Alabama, 1940, (Recompiled 1958), as last amended, fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Boles, the House concurred in and adopted the Senate amendment to the bill, H. 635, said Senate amendment being as follows:

Amend Section 1 of H. B. 635 by deleting the words and figures "Twenty Two Thousand Five Hundred Dollars (\$22,500.00)" and insert in lieu thereof "Nineteen Thousand Two Hundred and Eighty-five Dollars (\$19,285.00)".

Further amend H. B. 635 by adding a Section 3 to read as follows:

"Section 3: This act shall not become effective until the end of the present term and in no event prior to 1977."

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Culver	Hughes	Pruitt
Adams	Doss	Jackson	Reed (T)
Adwell	Downing	King	Reynolds
Agee	Edwards	Kinsey	Roberts
Bank	Ellis	Lang	Robertson
Barkett	Erdreich	Lutz	Smith (K)
Barron	Falkenburg	McBride	Smith (P)
Bassett	Fite	McCluskey	Snell
Boles	Flippo	McDonald	Stewart
Boutwell	Gafford	McMillan	Turner
Bowers	Goodwin	McNair	Turnham
Callahan	Grainger	Manley	Waldrop
Carnes	Gray (F)	Mathews	Wallace
Carter	Grey (D)	May	Weeks
Casey	Hale	Meeks	Wise
Chesnut	Hardin	Merrill	Wood
Coshatt	Hearn	Parker	Wynot
Cross	Hill	Perloff	

—71

And the bill, H. 635 as thus amended, was again read at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Collins	Grey (D)	McMillan
Adams	Coshatt	Hale	McNair
Adwell	Cottingham	Hardin	Manley
Agee	Cross	Harris	Mathews
Bank	Culver	Hearn	May
Barkett	Doss	Hill	Meeks
Barron	Downing	Hobbie	Merrill
Bassett	Edwards	Hughes	Perloff
Boles	Ellis	Jackson	Porter
Boutwell	Erdreich	Jones (F)	Pruitt
Bowers	Falkenburg	King	Reed (T)
Brassell	Fite	Kinsey	Reid (R)
Callahan	Flippo	Lang	Reynolds
Carnes	Gafford	Lutz	Roberts
Carter	Goodwin	McBride	Robertson
Casey	Grainger	McCluskey	St. John
Chesnut	Gray (F)	McDonald	Smith (K)

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Smith (P)
Snell
Stewart

Stokes
Turner
Turnham

Waldrop
Wallace
Weeks

Wise
Wood
Wynot

—80

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 639. To fix the compensation of the deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Doss, the House concurred in and adopted the Senate amendment to the bill, H. 639, said Senate amendment being as follows:

Amend H. B. 639 by deleting Section IV and substituting therefor the following Section:

"Section IV: This act shall not become effective until the end of the present term and in no event prior to 1977".

Further amend H. B. 639 in Section II by deleting the figure "\$15,840.00" and substituting in lieu therefor the figure "\$17,556.00".

Yeas 70; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barkett
Barron
Bassett
Boles
Boutwell
Bowers
Brassell
Callahan
Carnes
Carter
Casey
Chesnut
Collins

Coshatt
Cottingham
Cross
Culver
Downing
Edwards
Ellis
Erdreich
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Gray (F)
Grey (D)
Hearn
Hill

Hobbie
Hughes
Jackson
Jones (F)
King
Lutz
McBride
McCluskey
McDonald
McMillan
McNair
Manley
Mathews
May
Perloff
Porter
Reed (T)

Reynolds
Roberts
Robertson
St. John
Smith (K)
Smith (P)
Snell
Stewart
Stokes
Turner
Turnham
Waldrop
Wallace
Weeks
Wise
Wood
Wynot

—70

And the bill, H. 639 as thus amended, was again read at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hearn	Reed (T)
Adwell	Cross	Hobbie	Reid (R)
Agee	Culver	Hughes	Reynolds
Bank	Doss	Jackson	Roberts
Barkett	Downing	King	Robertson
Barron	Edwards	Lutz	Smith (K)
Bassett	Ellis	McBride	Snell
Boles	Erdreich	McCluskey	Stewart
Boutwell	Falkenburg	McNair	Stokes
Bowers	Fite	Manley	Turner
Brassell	Gafford	Mathews	Waldrop
Callahan	Goodwin	May	Wallace
Carnes	Grainger	Merrill	Weeks
Carter	Gray (F)	Perloff	Wise
Chesnut	Gray (D)	Porter	Wood
Collins	Hale	Pruitt	Wynot
Coshatt	Hardin		

—66

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1526. Relating to all counties having a population of not less than 300,000 nor more than 600,000, according to the most recent decennial census; providing for the compensation of the members of the governing body of said counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Therrell, the House concurred in and adopted the Senate amendment to the bill, H. 1526, said Senate amendment being as follows:

Amend H. B. 1526 by changing the words and figures "\$24,000.00" wherever they may appear therein to the words and figures "21,960.00."

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Callahan	Downing	Hobbie
Adams	Carnes	Ellis	Hughes
Adwell	Carter	Erdreich	Jackson
Agee	Casey	Falkenburg	King
Bank	Cauthen	Fite	Lutz
Barkett	Chesnut	Flippo	McBride
Barron	Collins	Gafford	McCluskey
Bassett	Cottingham	Goodwin	McMillan
Boles	Cross	Grainger	McNair
Boutwell	Crowe	Gray (F)	Manley
Bowers	Culver	Hardin	Mathews
Brassell	Doss	Hearn	May

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Meeks	Reed (T)	Snell	Waldrop
Merrill	Reynolds	Stokes	Wallace
Nettles	Roberts	Therrell	Weeks
Perloff	Robertson	Turner	Wise
Porter	Smith (K)	Waggoner	Wynot
Pruitt	Smith (P)		

—70

And the bill, H. 1526 as thus amended, was again read at length and passed.

Yeas 65; Nays 0.

Yeas:

Messrs.:	Collins	Hill	Reed (T)
Adams	Cottingham	Hobbie	Roberts
Adwell	Cross	Hughes	Robertson
Agee	Crowe	Jackson	St. John
Bank	Culver	King	Smith (K)
Barkett	Doss	Lutz	Smith (P)
Barron	Downing	McCluskey	Snell
Bassett	Ellis	McDonald	Therrell
Boles	Erdreich	McMillan	Timmons
Boutwell	Falkenburg	McNair	Turner
Bowers	Fite	Manley	Waldrop
Brassell	Flippo	Meeks	Wallace
Callahan	Gafford	Nettles	Weeks
Carnes	Goodwin	Perloff	Williams
Carter	Grainger	Porter	Wise
Casey	Hardin	Pruitt	Wynot
Chesnut	Hearn		

—65

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 2030. Relating to Hale County; providing for the election and tenure of the members of the county board of education.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Owens, the House concurred in and adopted the Senate amendment to the bill, H. 2030, said Senate amendment being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Hale County; providing for the election and tenure of the members of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of education of Hale County shall consist of five members who shall be elected by the qualified electors of the entire county at large. Members of the board from Places 2 and 5 respectively, shall be elect-

ed at the general election to be held in 1974 and every six years thereafter. Members of the board from Places 1 and 3, respectively, shall be elected at the general election to be held in 1976 and every six years thereafter. The member from Place 4 shall be elected at the general election to be held in 1978 and every six years thereafter. All members holding office when this act becomes effective shall continue in office until their respective terms expire and until their successors are elected and have qualified.

Section 2. The Hale County Board of Education, as herein constituted, shall be vested with the same authority, powers and duties as is provided for county boards of education under the general law.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hobbie	Reid (R)
Adams	Cross	Hughes	Reynolds
Adwell	Culver	Jackson	Roberts
Bank	Doss	King	Robertson
Barkett	Downing	Lang	St. John
Barron	Ellis	Lutz	Smith (K)
Bassett	Erdreich	McCluskey	Smith (P)
Boles	Falkenburg	McDonald	Snell
Boutwell	Fite	McMillan	Stokes
Bowers	Flippo	McNair	Timmons
Brassell	Gafford	Manley	Turner
Callahan	Goodwin	May	Turnham
Carnes	Grainger	Meeks	Waldrop
Carter	Gray (F)	Owens	Wallace
Casey	Hale	Perloff	Weeks
Chesnut	Hardin	Porter	Wise
Collins	Hearn	Reed (T)	Wynot
Coshatt	Hill		

—70

And the bill, H. 2030 as thus amended, was again read at length and passed.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cottingham	Gafford
Adams	Brassell	Cross	Goodwin
Adwell	Callahan	Crowe	Grainger
Bank	Carnes	Culver	Gray (F)
Barkett	Carter	Downing	Hale
Barron	Casey	Ellis	Hardin
Bassett	Chesnut	Erdreich	Hearn
Boles	Collins	Falkenburg	Hill
Boutwell	Coshatt	Fite	Hobbie

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Hughes	Manley	Reed (T)	Therrell
Jackson	Mathews	Reynolds	Timmons
King	May	Roberts	Turner
Lang	Meeks	Robertson	Turnham
Lutz	Nettles	St. John	Waldrop
McCluskey	Owens	Smith (K)	Wallace
McDonald	Perloff	Smith (P)	Weeks
McMillan	Porter	Snell	Wise
McNair	Pruitt	Stokes	Wynot

—72

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1048. Relating to a system of accounting reporting for counties having populations of 600,000 or more according to the most recent federal decennial census; providing for publication of a manual which establishes a system of accounting reporting for all county and municipal governmental units in such counties; to establish what such system should include, and for its periodic revision; to set a date for the use of such system; to provide that reports be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Erdreich, the House concurred in and adopted the Senate amendment to the bill, H. 1048, said Senate amendment being as follows:

Amend H. B. 1048 as substituted and amended by adding the following synopsis at the top of said bill:

SYNOPSIS: This bill requires the various government units in Jefferson County to report certain accounting information to the county treasurer each year.

Amend said H. B. 1048 as substituted and amended by striking the figures "1971-72, 1972-73, and 1973-74" and substitute in lieu thereof the word "(year)" wherever said figures appear on pages 2, 3, 4 and 5 of the bill.

Amend the substitute to H. B. 1048 by substituting the words "county treasurer" for the words "Judge of Probate" wherever it appears therein.

Amend Section 10 of the substitute to H. B. 1048 by changing Line 3 to read as follows:

"provisions of this Act, the County Treasurer of the County may petition the circuit court for an order to obtain"

**A BILL
TO BE ENTITLED
AN ACT**

Relating to a system of accounting reporting for counties having populations of 600,000 or more according to the most recent federal decennial census; providing for publication of accounting information by all local units of government in such counties; to establish what such information should include; to set a date for the commencement of such reporting system; to provide that reports be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby determined and declared that in all counties having a population of 600,000, or more, according to the last or any subsequent federal decennial census, it is in the interest of the general welfare due to the complexity of governmental organization and population concentration served by governmental units therein to provide uniform reporting accessible to the citizens thereof the accounts for all county and municipal governmental units in said counties; that the compilation and systematic publication of the accounting of all governmental units in said counties will aid efficiency of governmental operations and will provide access of the citizens thereof to the revenues and expenditures pertaining to their government; that such a system of accounting reporting will safeguard the public interest; and that the enactment of the provisions of this Act is hereby declared to be a public necessity.

Section 2. In all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census, each local unit of government shall cause to be published commencing with the beginning of fiscal year 1974-1975, annual reports containing such accounting information as shall be required herein. Local units of government shall include county and municipal governments, school districts, and all authorities, agencies and boards which function independently of general governments within said counties.

Section 3. Such reports shall itemize revenue by sources, including but not be limited to, the following categories: (1) intergovernmental transfers (federal, state, county, inter-local), (2) revenue from own sources (local tax revenues, non-tax revenues), (3) utility revenues, (4) insurance and trust fund revenues; and expenditures by programs, including but not be limited to, the following categories: (a) governmental administration, (b) police protection, (c) fire protection, (d) education, (e) health and welfare, (f) sanitation, (g) streets, bridges and roads, (h) transportation, (i) debt service (j) parks and recreation, (k) libraries, and (l) courts.

Section 4. The reports to be prepared and filed by this Act shall conform to the following:

**REVENUES by SOURCES
(Name of City)**

INTERGOVERNMENTAL TRANSFERS 1971-72 1972-73 1973-74

United States Government
Revenue Sharing

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Federal Grants
Other

State of Alabama
State Shared Gasoline Tax
State Liquor Store Profits
Financial Institutions Excise Tax
Automobile License
Other

..... County
Ad valorem Taxes
Licenses
General Sales Tax
Selective Sales Taxes
Gasoline
Beer
Tobacco
Other

Commissions, Fees & Permits
Other

REVENUE FROM OWN SOURCES

Local Tax Revenue
Licenses
General Sales Tax
Selective Sales Tax
Gasoline
Beer
Tobacco
Other

Non-tax Revenues
Fines and forfeitures
Utilities Revenue
Charges for Service
Interest
Other

UTILITY REVENUES

INSURANCE & TRUST FUND REVENUES

OTHER

TOTAL REVENUE

INTERGOVERNMENTAL TRANSFERS

United States Government
Revenue sharing
Federal grants
Other

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TOTAL REVENUE	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
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GOVERNMENTAL ADMINISTRATION

- salaries
- employee costs (pension, social security, insurance, longevity, etc.)
- fees (consultants, attorneys, etc.)
- operating expense (utilities, supplies mileage, auto maintenance, etc.)
- capital outlay
- unexpended funds
- other

POLICE PROTECTION

- salaries
- employee costs
- fees
- operating expense
- capital outlay
- unexpended funds
- other

FIRE PROTECTION

- salaries
- employee costs
- fees
- operating expense
- capital outlay
- unexpended funds
- other

EDUCATION

- salaries
- employee costs
- fees
- operating expense
- capital outlay
- unexpended funds
- payment to school board
- other

HEALTH AND WELFARE

- salaries
- employee costs
- fees
- operating expense
- capital outlay
- unexpended funds
- payment to County Health Department
- other

SANITATION

- salaries
- employee costs

fees
operating expense
capital outlay
unexpended funds
other

STREETS, BRIDGES AND ROADS

salaries
employee costs
fees
operating expense
capital outlay
unexpended funds
other

TRANSPORTATION

salaries
employee costs
fees
operating expense
capital outlay
unexpended funds
payment to transit authority
other

DEBT SERVICE

Principal
Interest and debt expense
other

PARKS AND RECREATION

salaries
employee costs
fees
operating expense
capital outlay
unexpended funds
other

LIBRARIES

salaries
employee costs
fees
operating expense
capital outlay
unexpended funds
other

COURTS

salaries
employee costs
fees
operating expense

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capital outlay
unexpended funds
other

OTHER

_____	_____	_____
\$ _____	\$ _____	\$ _____
\$ _____	\$ _____	\$ _____
_____	_____	_____

TOTAL REVENUE

Section 5. The Judge of Probate of said county, after the initiation of the system of accounting reporting to be established under the provisions of this Act, shall gather and publish, no less than annually, comparable data from the local units of government of the county. Said publication shall contain a summarization comparing said data by figures or chart and shall be made available to the elected officials of said county and all citizens thereof.

Section 6. Any auditors, accountants, or examiners required by law to examine the accounts, books or records of any local unit of government within said county, shall include in any report required to be made by such auditor, accountant, or examiner a statement of the degree of compliance by such governmental unit with the system of accounting reporting to be established under the provisions of this Act, and shall send a copy of such report in its entirety to the Judge of Probate of said County.

Section 7. Where there is evidence of lack of compliance with the provisions of the accounting reporting system to be established under the provisions of this Act, the Judge of Probate of said county may order compliance with the provisions of this Act, which shall include, but not be limited to, the aid of court to compel the attendance of witnesses and production of papers relating to the audit, accounts, books, or records of the governmental unit which has failed to comply with the provisions of this Act. The District Attorney or Circuit Solicitor shall render to the said Court, without additional compensation, such legal services as he may request in order to enforce the provisions of this Act.

Section 8. Any resident citizen of a local unit of government in which a violation of this Act occurs may file a written sworn petition, stating the ground upon which failure to comply with this Act is based, requesting the Judge of Probate of said county to obtain compliance with this Act. Should the Judge of Probate fail to obtain compliance within thirty days after receipt of said petition, or to bring suit therefor, the resident citizen may institute an action against said local unit of government in the Circuit Court of said county to obtain compliance with this Act.

Section 9. Failure to comply with the provisions of this Act by any officer or employee of any local unit of government covered by this Act shall constitute a misdemeanor.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Messrs.:	Cottingham	Jackson	Reynolds
Adams	Cross	King	Roberts
Adwell	Crowe	Lang	Robertson
Agee	Culver	Lutz	St. John
Bank	Downing	McCluskey	Smith (K)
Barkett	Ellis	McDonald	Smith (P)
Barron	Erdreich	McMillan	Snell
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	May	Therrell
Brassell	Gafford	Meeks	Timmons
Callahan	Goodwin	Merrill	Turner
Carnes	Grainger	Naramore	Turnham
Carter	Gray (F)	Nettles	Waldrop
Casey	Hale	Perloff	Wallace
Cauthen	Hearn	Porter	Weeks
Chesnut	Hill	Pruitt	Wise
Collins	Hobbie	Reed (T)	Wynot
Coshatt	Hughes	Reid (R)	

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And the bill, H. 1048:

Relating to a system of accounting reporting for counties having populations of 600,000 or more according to the most recent federal decennial census; providing for publication of accounting information by all local units of government in such counties; to establish what such information should include; to set a date for the commencement of such reporting system; to provide that reports be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

As thus amended, was again read at length and passed.

Yeas 76; Nays 0.

Yeas:

Messrs.:	Cauthen	Goodwin	McNair
Adams	Chesnut	Grainger	Manley
Adwell	Collins	Gray (F)	Mathews
Agee	Coshatt	Hale	May
Bank	Cottingham	Hardin	Meeks
Barkett	Cross	Hearn	Merrill
Barron	Crowe	Hill	Mims
Boles	Culver	Hobbie	Naramore
Boutwell	Downing	Hughes	Nettles
Bowers	Ellis	Jackson	Perloff
Brassell	Erdreich	King	Pruitt
Callahan	Falkenburg	Lutz	Reed (T)
Carnes	Fite	McCluskey	Reid (R)
Carter	Flippo	McDonald	Reynolds
Casey	Gafford	McMillan	Roberts

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St. John
Smith (K)
Smith (P)
Snell
Stewart

Stokes
Therrell
Timmons
Turner

Turnham
Waggoner
Waldrop
Wallace

Warren
Weeks
Wise
Wynot

—76

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 960. Relating to St. Clair County, to provide for and create the St. Clair County Racing Commission for the regulating, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, terms of office, powers, and duties of the commission; to authorize and empower Racing Commission to issue revenue bonds for purpose of acquiring land and construction of race tracks; to prescribe certain qualifications for applicants for licenses; to provide for and regulate the parimutuel method of wagering within the enclosure of licensed race tracks; to provide for the levying of a special gross receipt tax on items sold on premises and the distribution thereof; to prescribe certain rules and regulations in addition to those that may be promulgated by the Racing Commission; to provide for the distribution and appropriation of license fees, taxes, commissions, and other monies received under the provisions of the act; to provide for the refinancing or retirement of the bonds of indebtedness on the St. Clair County hospital; to provide for the creation of a scholarship trust fund and administration thereof; to provide certain penalties for the violation of this act and for other purposes relative thereto; to further define the intent of the act, and to provide for a referendum of the voters of the county on the question of whether the act will become effective in the county.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 400. Relating to Morgan County; to declare the public policy with respect to Sunday business activities; to allow the county and municipal governing bodies to adopt rules and regulations and prescribe penalties for Sunday business activities.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I transmit herewith to you a message from the Governor, returning Senate Bill 400, without the Governor's signature and with a suggested Executive Amendment.

Respectfully submitted,

HARRY L. PENNINGTON
Executive Secretary

DONE THIS 21ST DAY OF AUGUST, 1973.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill No. 400, without my approval and with the following suggested Executive Amendment:

Amend Section 3 of the Substitute to Senate Bill 400 by adding at the end thereof the following: "provided further that any such resolution adopted by any county governing body shall not apply within the police jurisdiction of any incorporated municipality within such county."

Also amend Section 5 of the Substitute to Senate Bill 400 to read as follows: "Section 5. This act shall become effective ninety (90) days following its passage and approval by the Governor, or upon its otherwise becoming a law."

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully,

GEORGE C. WALLACE
Governor

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S. B. 400, by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25; Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25; Nays 0.

And said Bill, S. B. 400, together with the Executive Amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

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SENATE MESSAGE

On motion of Mr. Cauthen, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 400, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Reed (T)
Adams	Culver	Kinsey	Reynolds
Adwell	Doss	Lang	Roberts
Bank	Downing	Lutz	St. John
Barkett	Edwards	McBride	Smith (K)
Barron	Ellis	McCluskey	Smith (P)
Bassett	Erdreich	McDonald	Snell
Boles	Falkenburg	McMillan	Stewart
Boutwell	Fite	Manley	Stokes
Bowers	Flippo	Mathews	Taylor
Brassell	Gafford	May	Therrell
Callahan	Grainger	Mims	Timmons
Carnes	Grey (D)	Naramore	Turner
Carter	Hardin	Nettles	Waggoner
Chesnut	Hearn	Parker	Waldrop
Collins	Hill	Perloff	Warren
Coshatt	Hobbie	Porter	Weeks
Cottingham	Hughes	Pruitt	Wynot
Crawford	Jackson		

—74

Which was a majority of the whole number elected to the House.

And the bill:

S. 400. Relating to Morgan County; to declare the public policy with respect to Sunday business activities; to allow the county and municipal governing bodies to adopt rules and regulations and prescribe penalties for Sunday business activities.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 78; Nays 0.

Yeas:

Messrs.:	Casey	Fite	McBride
Adams	Cauthen	Flippo	McCluskey
Adwell	Chesnut	Gafford	McDonald
Agee	Collins	Grainger	McMillan
Bank	Coshatt	Grey (D)	McNair
Barkett	Cottingham	Hardin	Manley
Barron	Crawford	Hearn	Mathews
Bassett	Cross	Hill	May
Boles	Culver	Hobbie	Merrill
Boutwell	Doss	Hughes	Mims
Bowers	Downing	Jackson	Naramore
Brassell	Edwards	King	Nettles
Callahan	Ellis	Kinsey	Parker
Carnes	Erdreich	Lang	Perloff
Carter	Falkenburg	Lutz	Porter

Pruitt
Reed (T)
Roberts
Robertson
St. John

Slate
Smith (K)
Smith (P)
Snell
Stewart

Stokes
Timmons
Turner
Waggoner
Waldrop

Warren
Weeks
Wise
Wynot

—78

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill and Senate Joint Resolutions, your signature thereto is requested:

S. 75. To amend Act No. 803, H. 1258 of the Regular Session of 1961 (Acts of 1961, p. 1166), an Act which applies in counties having a population of 500,000 or more inhabitants, according to the last or any subsequent federal census, wherein the use of voting machines has been or shall be authorized, amending such Act so as to provide further for the time and manner of commencing contest of elections and providing for the breaking of the seal on voting machines and the making of records of the count thereof when such machines are needed for subsequent elections.

Also:

S. J. R. 86. MOURNING THE DEATH OF MERVYN HAYDEN STERNE

Also:

S. J. R. 87. COMMENDING MARTIN GRIMES ON HIS EXCELLENT BOOK, "TURNIP GREENS AND SERGEANT STRIPES"

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 644. To amend Act No. 40, S. 4, Second Special Session of 1965 (Acts 1956, p. 328), as amended relating to courts of General Sessions of Mobile.

McDOWELL LEE,
Secretary.

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SENATE MESSAGE

On motion of Mr. Perloff, the House concurred in and adopted the Senate amendment to the bill, H. 644, said Senate amendment being as follows:

Amend H. B. 644 by striking in line 2 of the title the year 1965 and substituting in lieu thereof the year 1956.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Crawford	King	Pruitt
Adams	Culver	Kinsey	Reed (T)
Adwell	Doss	Lang	Reynolds
Agee	Downing	Lutz	Roberts
Bank	Edwards	McBride	Robertson
Barkett	Ellis	McCluskey	St. John
Barron	Erdreich	McCorquodale	Smith (K)
Bassett	Falkenburg	McDonald	Smith (P)
Boles	Flippo	McMillan	Snell
Boutwell	Gafford	McNair	Stewart
Bowers	Goodwin	Manley	Stokes
Brassell	Grainger	Mathews	Therrell
Callahan	Grey (D)	May	Timmons
Carnes	Hale	Merrill	Turner
Casey	Hearn	Naramore	Waggoner
Cauthen	Hill	Nettles	Waldrop
Chesnut	Hobbie	Parker	Weeks
Collins	Hughes	Perloff	Wise
Coshatt	Jackson	Porter	Wynot
Cottingham			

—77

And the bill:

H. 644. To amend Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended relating to Courts of General Sessions of Mobile.

As thus amended, was again read at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson	Pruitt
Adams	Downing	King	Reed (T)
Adwell	Edwards	Kinsey	Reynolds
Agee	Ellis	Lang	Roberts
Bank	Erdreich	Lutz	Robertson
Barkett	Falkenburg	McBride	St. John
Barron	Fite	McCluskey	Smith (K)
Boles	Flippo	McDonald	Smith (P)
Boutwell	Gafford	McMillan	Snell
Bowers	Goodwin	McNair	Stokes
Brassell	Grainger	Manley	Taylor
Callahan	Grey (D)	May	Therrell
Carnes	Hale	Merrill	Timmons
Casey	Hardin	Naramore	Turner
Chesnut	Hearn	Nettles	Waldrop
Collins	Hill	Owens	Weeks
Coshatt	Hobbie	Perloff	Wise
Cottingham	Hughes	Porter	Wynot
Crawford			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1128. To provide the official Secretary-Court Reporters in all Probate Courts in all counties of the State of Alabama having a population of not less than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such Secretary-Court Reporters; and to provide for the appointment of such Secretary-Court Reporters by each Probate Judge in such counties and to provide for the compensation and salary of such Secretary-Court Reporters; and to abolish Bills of Exceptions in such courts, and to provide that the provisions of Sections 827 (1) thru and including Section 827 (6), as last amended, of Title 7 of the Code of Alabama shall apply to and govern procedures in such courts.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Perloff, the House concurred in and adopted the Senate amendment to the bill, H. 1128, said Senate amendment being as follows:

In the title to H. B. 1128 delete the reference to Sections 827(1)-827(6) of Title 7, Code of Alabama 1940, and insert in lieu thereof the cite Act No. 461, H. 76, Regular Session 1943, (Acts 1943, p. 423).

In the body of H. B. 1128 strike the following wherever it appears "Section 827(1) to and including Section 827(6) of Title 7 of the Code of Alabama (as Recompiled 1958)" and insert in lieu thereof the following: Act No. 461, H. 761, Regular Session 1943 (Acts 1943, p. 423).

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson	Robertson
Adwell	Downing	King	St. John
Agee	Edwards	Kinsey	Slate
Barron	Ellis	Lutz	Smith (K)
Bassett	Erdreich	McBride	Smith (P)
Boles	Falkenburg	McCluskey	Snell
Boutwell	Fite	McDonald	Stewart
Bowers	Flippo	McMillan	Stokes
Brassell	Gafford	Manley	Taylor
Callahan	Goodwin	May	Therrell
Carnes	Grainger	Merrill	Timmons
Casey	Gray (F)	Naramore	Turner
Cauthen	Gray (D)	Nettles	Waggoner
Chesnut	Hale	Perloff	Waldrop
Collins	Hardin	Porter	Wallace
Coshatt	Hearn	Pruitt	Weeks
Cottingham	Hill	Reed (T)	Wise
Crawford	Hobbie	Reynolds	Wood
Crowe	Hughes	Roberts	Wynot
Culver			

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And the bill:

H. 1128. To provide for official Secretary-Court Reporters in all Probate Courts in all counties of the State of Alabama having a population of not less than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such Secretary-Court Reporters; and to provide for the appointment of such Secretary-Court Reporters by each Probate Judge in such counties and to provide for the compensation and salary of such Secretary-Court Reporters; and to abolish Bills of Exceptions in such courts, and to provide that the provisions of Act No. 461, H. 76, Regular Session 1943 (Acts 1943, p. 423) shall apply to and govern procedures in such courts.

As thus amended, was again read at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hill	Reed (T)
Adams	Cross	Hobbie	Reid (R)
Adwell	Crowe	Hughes	Reynolds
Agee	Culver	Jackson	Roberts
Bank	Doss	King	Robertson
Barron	Downing	Kinsey	St. John
Bassett	Edwards	Lutz	Smith (K)
Boles	Ellis	McBride	Smith (P)
Boutwell	Erdreich	McCluskey	Snell
Bowers	Falkenburg	McDonald	Taylor
Brassell	Fite	McMillan	Therrell
Callahan	Flippo	Manley	Timmons
Carnes	Gafford	May	Turner
Carter	Goodwin	Merrill	Turnham
Casey	Grainger	Naramore	Waggoner
Cauthen	Gray (F)	Nettles	Waldrop
Chesnut	Gray (D)	Owens	Wallace
Collins	Hale	Perloff	Weeks
Coshatt	Hardin	Porter	Wise
Cottingham	Hearn	Pruitt	Wynot

—80

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Downing the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 263.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Burgess	Cross	Goodwin
Adams	Callahan	Crowe	Grainger
Adwell	Carnes	Culver	Hardin
Barkett	Carter	Downing	Headley
Barron	Casey	Edwards	Hearn
Bassett	Chesnut	Ellis	Hill
Benton	Collins	Erdreich	Hobbie
Boles	Connell	Falkenburg	Hughes
Boutwell	Coshatt	Fite	King
Bowers	Cottingham	Flippo	Kinsey
Brassell	Crawford	Gafford	Lutz

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McBride	Nettles	Robertson	Timmons
McCluskey	Owens	St. John	Turner
McCorquodale	Parker	Slate	Turnham
McDonald	Perloff	Smith (K)	Waggoner
McMillan	Porter	Smith (P)	Waldrop
McNair	Pruitt	Snell	Wallace
Manley	Reed (T)	Stewart	Warren
May	Reid (R)	Stokes	Weeks
Merrill	Reynolds	Stubbs	Wise
Mims	Roberts	Therrell	Wood
Naramore			

—85

And the bill:

H. 263. To amend Section 2 of Act No. 160, H. 59, Third Special Session 1971 (Acts 1971, p. 4404), entitled "An Act To provide the manner and method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama," so as to add a proviso that the Department of Revenue shall not have any authority or power to establish any rule, regulation, criteria or standard that shall require or allow any appraisal of real property to include the inside inspection of any human residence in this state.

Was read a third time at length and passed.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crowe	Lutz	Robertson
Adams	Culver	McBride	St. John
Adwell	Doss	McCluskey	Slate
Barkett	Downing	McCorquodale	Smith (K)
Barron	Edwards	McDonald	Smith (P)
Bassett	Ellis	McMillan	Snell
Benton	Erdreich	McNair	Stewart
Boles	Falkenburg	Manley	Stokes
Boutwell	Fite	Mathews	Stubbs
Bowers	Flippo	May	Taylor
Brassell	Gafford	Merrill	Therrell
Burgess	Goodwin	Mims	Timmons
Callahan	Grainger	Naramore	Turner
Carnes	Grey (D)	Nettles	Turnham
Carter	Hardin	Owens	Waggoner
Casey	Headley	Parker	Waldrop
Chesnut	Hearn	Perloff	Wallace
Collins	Hill	Porter	Warren
Connell	Hobbie	Pruitt	Weeks
Coshatt	Hughes	Reed (T)	Wise
Cottingham	King	Reynolds	Wood
Crawford	Kinsey	Roberts	Wynot
Cross			

—89

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Downing and Ellis, unanimous consent was granted for their names to be added as co-sponsors to the bill, H. 263.

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RULE SUSPENDED

On motion of Mr. Downing, Rule 4(4) was suspended to permit the bill, H. 263, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 263, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Smith (P), the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 2201.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Roberts
Adams	Doss	Lang	Robertson
Agee	Downing	Lutz	St. John
Barkett	Edwards	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Bassett	Fite	McDonald	Smith (P)
Benton	Flippo	McMillan	Snell
Boles	Gafford	McNair	Stewart
Boutwell	Goodwin	Manley	Stokes
Bowers	Grainger	Mathews	Stubbs
Burgess	Grey (D)	May	Taylor
Carnes	Hale	Mims	Therrell
Carter	Hardin	Naramore	Timmons
Casey	Harris	Nettles	Turner
Chesnut	Headley	Owens	Waggoner
Collins	Hearn	Parker	Waldrop
Connell	Hill	Porter	Wallace
Coshatt	Hobbie	Pruitt	Warren
Cottingham	Hughes	Reed (T)	Weeks
Cross	Jones (F)	Reid (R)	Wise
Crowe	King	Reynolds	Wood

—84

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all members voting "Yea" on the bill, H. 2201, to have their names added as co-sponsors.

And the bill:

H. 2201. To make a conditional appropriation to the Department of Agriculture and Industries.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Barron	Brassell	Chesnut
Adams	Bassett	Burgess	Collins
Adwell	Benton	Callahan	Connell
Agee	Boles	Carnes	Coshatt
Bank	Boutwell	Carter	Cottingham
Barkett	Bowers	Casey	Cross

Crowe	Hobbie	Mims	Snell
Culver	Hughes	Naramore	Stewart
Doss	Jackson	Nettles	Stubbs
Downing	Jones (F)	Owens	Taylor
Edwards	King	Parker	Therrell
Ellis	Kinsey	Perloff	Timmons
Erdreich	Lang	Porter	Turner
Fite	Lutz	Pruitt	Turnham
Flippo	McBride	Reed (T)	Waggoner
Gafford	McCluskey	Reid (R)	Waldrop
Goodwin	McCorquodale	Reynolds	Wallace
Grainger	McDonald	Roberts	Warren
Grey (D)	McMillan	Robertson	Weeks
Hardin	McNair	St. John	Williams
Harris	Manley	Slate	Wise
Headley	Mathews	Smith (K)	Wood
Hearn	May	Smith (P)	Wynot
Hill	Merrill		

—94

RULE SUSPENDED

On motion of Mr. Smith (P), Rule 4(4) was suspended to permit the bill, H. 2201, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 2201, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. King, the rules were suspended in order to bring up out of order from the Special Order Calendar, the third reading of the bill, H. 237.

Yeas 73; Nays 1.

Yeas:

Mr. Speaker	Cross	Hill	Roberts
Adams	Crowe	Hughes	Robertson
Adwell	Culver	Jones (F)	St. John
Bank	Doss	King	Slate
Barkett	Downing	Lang	Smith (K)
Barron	Drake	Lutz	Smith (P)
Bassett	Edwards	McCluskey	Stewart
Boles	Ellis	McDonald	Stokes
Bowers	Erdreich	McMillan	Stubbs
Brassell	Falkenburg	McNair	Therrell
Burgess	Flippo	Manley	Timmons
Callahan	Gafford	May	Turner
Carnes	Goodwin	Naramore	Turnham
Chesnut	Grainger	O'Daniel	Waldrop
Collins	Gray (F)	Owens	Wallace
Connell	Grey (D)	Parker	Warren
Coshatt	Hardin	Pruitt	Weeks
Cottingham	Harris	Reid (R)	Wood
Crawford			

—73

Nay: Mr. Fite.

—1

And the bill:

H. 237. To amend Sections 2 and 3 of Act No. 2059, H. 862, 1971 Regular Session of the Alabama Legislature (Acts 1971, p. 3320), entitled

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"An Act Providing for the certification of factory-built housing; to provide for the regulation, administration and enforcement of the provisions of this Act by the Alabama Development Office; to establish certain civil remedies and actions in connection with factory-built housing and to provide penalties for violations of this Act or any rule or regulation promulgated hereunder."

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hobbie	Reid (R)
Adams	Crawford	Hughes	Roberts
Adwell	Cross	Jones (F)	Robertson
Agee	Crowe	King	St. John
Barkett	Culver	Kinsey	Slate
Barron	Doss	Lang	Smith (K)
Bassett	Downing	Lutz	Smith (P)
Benton	Drake	McCluskey	Snell
Boles	Edwards	McDonald	Stewart
Boutwell	Ellis	McMillan	Stubbs
Bowers	Erdreich	McNair	Therrell
Brassell	Falkenburg	Manley	Timmons
Burgess	Flippo	May	Turner
Callahan	Gafford	Meeks	Waldrop
Carnes	Goodwin	Naramore	Wallace
Carter	Grainger	Nettles	Warren
Casey	Gray (F)	O'Daniel	Weeks
Chesnut	Grey (D)	Owens	Williams
Collins	Harris	Perloff	Wood
Connell	Headley	Porter	Wynot
Coshatt	Hill	Pruitt	

—83

RULE SUSPENDED

On motion of Mr. King, Rule 4(4) was suspended to permit the bill, H. 237, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 237, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Collins, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 943.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Callahan	Culver	Hardin
Adams	Carnes	Doss	Harris
Adwell	Carter	Downing	Hill
Agee	Casey	Edwards	Hobbie
Barkett	Collins	Ellis	Hughes
Barron	Connell	Erdreich	Jones (F)
Bassett	Cottingham	Falkenburg	Kinsey
Benton	Crawford	Fite	Lang
Boles	Cross	Flippo	McBride
Burgess	Crowe	Goodwin	McCluskey

McMillan	Nettles	Robertson	Waldrop
Manley	O'Daniel	Slate	Wallace
May	Pruitt	Snell	Warren
Meeks	Reed (T)	Stewart	Weeks
Merrill	Reid (R)	Therrell	Williams
Mims	Roberts	Turner	Wood
Naramore			

—65

And the bill:

H. 943. To reenact, expand, and change the Unfair Cigarette Sales Act of 1951; to define and prohibit the unfair sales of cigarettes; to provide remedies and set forth penalties for violation; to repeal Act No. 805, S. 385, Regular Session 1951 (Acts 1951, p. 1402), and all other laws in conflict thereof.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Messrs.:	Cottingham	Hearn	Porter
Adams	Crawford	Hill	Pruitt
Adwell	Cross	Hobbie	Reed (T)
Agee	Crowe	Hughes	Reid (R)
Bank	Culver	Jones (F)	Roberts
Barron	Doss	King	Robertson
Bassett	Downing	Kinsey	St. John
Benton	Drake	Lang	Slate
Boles	Edwards	McCluskey	Snell
Bowers	Ellis	McMillan	Stewart
Brassell	Erdreich	Manley	Stubbs
Burgess	Falkenburg	May	Taylor
Callahan	Flippo	Meeks	Therrell
Carnes	Gafford	Merrill	Turner
Carter	Gray (F)	Mims	Waldrop
Casey	Hale	Naramore	Wallace
Chesnut	Hardin	Nettles	Warren
Collins	Harris	O'Daniel	Weeks
Connell	Headley	Perloff	Williams

—75

RULE SUSPENDED

On motion of Mr. Collins, Rule 4(4) was suspended to permit the bill, H. 943, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 943, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mrs. Wynot, the rules were suspended in order to take up out of order from the Special Order Calendar, the third reading of the bill, H. 119.

Yeas 70; Nays 1.

Yeas:

Messrs.:	Barron	Boles	Callahan
Agee	Bassett	Brassell	Carnes
Barkett	Benton	Burgess	Carter

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Chesnut	Goodwin	Mathews	Smith (K)
Connell	Grainger	May	Snell
Coshatt	Gray (F)	Meeks	Stewart
Cottingham	Grey (D)	Merrill	Stubbs
Crawford	Harris	Mims	Taylor
Cross	Hill	Naramore	Timmons
Doss	Hobbie	O'Daniel	Turner
Downing	Hughes	Porter	Waggoner
Edwards	Jones (F)	Reed (T)	Waldrop
Ellis	Kinsey	Reid (R)	Wallace
Erdreich	Lang	Reynolds	Warren
Falkenburg	McBride	Roberts	Williams
Fite	McDonald	Robertson	Wood
Flippo	McMillan	St. John	Wynot
Gafford	McNair	Slate	
			—70
Nay: Mr. Parker.			
			—1

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted for all members voting "Yea" on the bill, H. 119, to have their names added as co-sponsors.

And the bill:

H. 119. To provide for the retirement of teachers who are members of the Teachers' Retirement System of Alabama who have 30 years creditable service regardless of age and to modify all laws or parts of law in conflict with the provisions of this Act.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Messrs.:	Cross	Jones (F)	Reid (R)
Adwell	Crowe	King	Reynolds
Agee	Doss	Kinsey	Roberts
Barkett	Downing	Lang	Robertson
Barron	Drake	Lutz	St. John
Bassett	Edwards	McBride	Slate
Benton	Ellis	McDonald	Smith (K)
Boles	Erdreich	McMillan	Snell
Boutwell	Falkenburg	McNair	Stewart
Brassell	Flippo	Manley	Stubbs
Burgess	Goodwin	Mathews	Taylor
Callahan	Grainger	May	Therrell
Carnes	Gray (F)	Meeks	Timmons
Carter	Grey (D)	Merrill	Turner
Casey	Hale	Mims	Waggoner
Cauthen	Hardin	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Collins	Headley	O'Daniel	Warren
Connell	Hearn	Perloff	Williams
Coshatt	Hill	Porter	Wood
Cottingham	Hobbie	Pruitt	Wynot
Crawford	Hughes	Reed (T)	
			—86

RULE SUSPENDED

On motion of Mrs. Wynot, Rule 4(4) was suspended to permit the bill, H. 119, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 119, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McCorquodale, the rules were suspended in order to take up out of order from the Special Order Calendar the third reading of the bill, H. 1677.

Yeas 65; Nays 0.

Yeas:

Messrs.:	Drake	Lang	Reynolds
Agee	Edwards	Lutz	Roberts
Barkett	Erdreich	McCluskey	Robertson
Barron	Fite	McDonald	St. John
Bassett	Gafford	Mathews	Slate
Benton	Goodwin	May	Smith (K)
Boles	Gray (F)	Meeks	Snell
Brassell	Grey (D)	Merrill	Stewart
Callahan	Hardin	Mims	Stokes
Carnes	Harris	Naramore	Stubbs
Carter	Headley	Nettles	Turner
Casey	Hearn	O'Daniel	Waldrop
Connell	Hobbie	Perloff	Warren
Cottingham	Hughes	Porter	Wise
Crawford	Jackson	Pruitt	Wood
Cross	King	Reid (R)	Wynot
Downing	Kinsey		

—65

And the bill:

H. 1677. To amend Section 29, Title 11, Code of Alabama, 1940, relating to the fees of probate judges.

Was read a third time at length and passed.

Yeas 70; Nays 3.

Yeas:

Messrs.:	Cross	Kinsey	Pruitt
Adams	Culver	Lang	Reed (T)
Adwell	Downing	Lutz	Roberts
Agee	Drake	McCluskey	Robertson
Barkett	Edwards	McCorquodale	St. John
Bassett	Ellis	McDonald	Slate
Benton	Fite	McNair	Smith (K)
Boles	Gafford	Manley	Snell
Boutwell	Grainger	Mathews	Stewart
Brassell	Gray (F)	May	Stokes
Burgess	Grey (D)	Meeks	Turner
Callahan	Hardin	Merrill	Waldrop
Carnes	Headley	Mims	Wallace
Carter	Hearn	Naramore	Warren
Casey	Hobbie	Nettles	Wise
Chesnut	Hughes	O'Daniel	Wood
Cottingham	Jackson	Perloff	Wynot
Crawford	King	Porter	

—70

Nays: Messrs. Barron, Jones (F) and Stubbs.

—3

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RULE SUSPENDED

On motion of Mr. McCorquodale, Rule 4(4) was suspended to permit the bill, H. 1677, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1677, was ordered sent to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Merrill, the rules were suspended in order to bring up out of order from the Special Order Calendar, the third reading of the bill, H. 1464.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reid (R)
Adams	Downing	Kinsey	Reynolds
Adwell	Drake	Lang	Roberts
Agee	Edwards	Lutz	Robertson
Barkett	Ellis	McCluskey	St. John
Barron	Erdreich	McDonald	Slate
Bassett	Falkenburg	McMillan	Smith (K)
Boles	Fite	Manley	Snell
Boutwell	Gafford	Mathews	Stewart
Bowers	Goodwin	May	Stokes
Brassell	Gray (F)	Meeks	Taylor
Burgess	Grey (D)	Merrill	Timmons
Callahan	Hale	Mims	Turner
Carnes	Hardin	Naramore	Waldrop
Carter	Harris	Nettles	Wallace
Casey	Headley	O'Daniel	Warren
Cauthen	Hearn	Parker	Weeks
Chesnut	Hobbie	Perloff	Williams
Connell	Hughes	Porter	Wise
Cottingham	Jackson	Pruitt	Wood
Crawford	Jones (F)	Reed (T)	Wynot
Cross			

—85

And the bill:

H. 1464. (With Substitute): To amend further Section 3 of Act No. 443, Regular Session 1953, (Acts 1953 p. 549) as amended, which Act provided for law clerks to be appointed by the Chief Justice and Associate Justices of the Supreme Court, by establishing a schedule of compensation for such law clerks based on prescribed qualifications.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and

the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act 594, General Acts of Alabama, 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Spec. Sess., p. 64, and by Act No. 323, General Acts of Alabama 1969, Reg. Sess., p. 693, and by Act No. 117, General Acts of Alabama 1971, Third Spec. Sess., p. 4342, and to appropriate the funds for carrying out the provisions of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 443, Regular Session 1953 (Acts 1953, p. 549), entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," as amended by Act No. 594, General Acts of Alabama 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Spec. Sess., p. 64, and by Act No. 323, General Acts of Alabama 1969, Reg. Sess., p. 693, and by Act No. 117, General Acts of Alabama 1971, Third Spec. Sess., p. 4342, is hereby amended further to read as follows:

"Section 3. (a) Any such law clerk who has not been admitted to the bar of any state may be compensated in an amount not to exceed Ten Thousand Eight Hundred Dollars (\$10,800), and shall be paid out of the general fund as other state employees are paid.

(b) Any such law clerk who has been admitted to the bar of any state, may, upon employment, or at the beginning of the pay period next following his admission, if he served as such prior to admission, be compensated in an amount not to exceed Twelve Thousand Two Hundred Fifty Dollars (\$12,250), and shall be paid out of the general fund as other state employees are paid.

(c) Any such law clerk who has served at least one year as a law clerk for a judge of the courts of appeals or a justice of the supreme court may be compensated in an amount not to exceed Fourteen Thousand Dollars (\$14,000), and shall be paid out of the general fund as other state employees are paid.

(d) Any such law clerk who has served at least two years as a law clerk to a judge of the courts of appeals or a justice of the supreme court may be compensated in an amount not to exceed Fourteen Thousand Five Hundred Dollars (\$14,500), and shall be paid out of the general fund as other state employees are paid."

Section 2. This Act shall be effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Benton	Callahan	Connell
Adams	Boles	Carnes	Cottingham
Adwell	Boutwell	Carter	Crawford
Barkett	Bowers	Casey	Culver
Barron	Brassell	Cauthen	Doss
Bassett	Burgess	Chesnut	Downing

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Drake	Hobbie	Merrill	Slate
Edwards	Hughes	Mims	Smith (K)
Ellis	Jackson	Naramore	Snell
Erdreich	Jones (F)	Nettles	Stewart
Falkenburg	King	Parker	Taylor
Fite	Kinsey	Perloff	Timmons
Gafford	Lang	Porter	Turner
Goodwin	Lutz	Pruitt	Waldrop
Grainger	McCluskey	Reed (T)	Wallace
Gray (F)	McDonald	Reid (R)	Warren
Grey (D)	McMillan	Reynolds	Weeks
Hardin	Manley	Roberts	Williams
Harris	Mathews	Robertson	Wise
Headley	May	St. John	Wood
Hearn	Meeks		

—82

And the bill:

H. 1464. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act 594, General Acts of Alabama, 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Spec. Sess., p. 64, and by Act No. 323, General Acts of Alabama 1969, Reg. Sess., p. 693, and by Act No. 117, General Acts of Alabama 1971, Third Spec. Sess., p. 4342, and to appropriate the funds for carrying out the provisions of this act.

Was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Doss	Lang	Reid (R)
Adams	Downing	Lutz	Reynolds
Adwell	Drake	McCluskey	Roberts
Barkett	Ellis	McCorquodale	Robertson
Barron	Erdreich	McDonald	St. John
Bassett	Falkenburg	McMillan	Slate
Benton	Fite	Manley	Smith (K)
Boles	Gafford	Mathews	Snell
Boutwell	Goodwin	May	Stewart
Bowers	Grainger	Meeks	Stokes
Brassell	Gray (F)	Merrill	Taylor
Burgess	Hardin	Mims	Therrell
Callahan	Harris	Naramore	Timmons
Carnes	Hearn	Nettles	Turner
Casey	Hobbie	O'Daniel	Waldrop
Cauthen	Hughes	Parker	Wallace
Chesnut	Jackson	Perloff	Warren
Connell	Jones (F)	Porter	Weeks
Cottingham	King	Pruitt	Williams
Crawford	Kinsey	Reed (T)	Wood
Culver			

—81

RULE SUSPENDED

On motion of Mr. Merrill, Rule 4(4) was suspended to permit the bill, H. 1464, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1464, was ordered sent to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Grainger, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1406.

Yeas 69; Nays 0.

Yeas:

Messrs.:	Cross	King	Reid (R)
Adwell	Culver	Kinsey	Robertson
Barkett	Doss	Lutz	St. John
Barron	Downing	McCluskey	Slate
Bassett	Drake	McDonald	Smith (K)
Benton	Edwards	McMillan	Snell
Boles	Ellis	Manley	Stewart
Bowers	Fite	Mathews	Stokes
Brassell	Goodwin	May	Stubbs
Burgess	Grainger	Meeks	Taylor
Callahan	Gray (F)	Mims	Turner
Carnes	Grey (D)	Naramore	Waldrop
Carter	Harris	Nettles	Wallace
Casey	Hearn	Parker	Warren
Chesnut	Hobbie	Porter	Weeks
Connell	Hughes	Pruitt	Wise
Cottingham	Jackson	Reed (T)	Wood
Crawford	Jones (F)		

—69

And the bill:

H. 1406. To permit local governmental units and boards of education and school superintendents to cooperate in order to establish and operate joint educational facilities and services, and to regulate contracts relative thereto.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Doss	Lutz	St. John
Adwell	Downing	McCluskey	Slate
Barkett	Drake	McDonald	Smith (K)
Barron	Edwards	McMillan	Smith (P)
Bassett	Ellis	Manley	Snell
Benton	Fite	Mathews	Stewart
Brassell	Goodwin	May	Stokes
Burgess	Grainger	Merrill	Stubbs
Callahan	Hardin	Naramore	Turner
Carnes	Harris	Nettles	Waldrop
Casey	Headley	Parker	Wallace
Chesnut	Hearn	Porter	Warren
Connell	Hobbie	Pruitt	Weeks
Cottingham	Jackson	Reed (T)	Williams
Crawford	Jones (F)	Reid (R)	Wise
Cross	King	Reynolds	Wood
Culver	Kinsey	Roberts	

—67

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RULE SUSPENDED

On motion of Mr. Grainger, Rule 4(4) was suspended to permit the bill, H. 1406, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1406, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Robertson, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1898.

And the bill:

H. 1898. (With Amendment): Relating to counties having a population of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census; restricting the use of county equipment; charging the county commission with the responsibility for the proper use of county equipment and prescribing penalties for violation of any of the provisions of this Act.

Was taken up.

H. 1898 INDEFINITELY POSTPONED

On motion of Mr. Robertson, the bill, H. 1898 with pending amendment, was indefinitely postponed.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Robertson, the rules were suspended in order to take up for immediate consideration the third reading of the bill, S. 506.

Yeas 44; Nays 0.

Yeas:

Messrs.:	Cottingham	King	Pruitt
Adams	Cross	Lutz	St. John
Barron	Culver	McCluskey	Slate
Boles	Downing	McDonald	Smith (K)
Bowers	Drake	Manley	Snell
Brassell	Ellis	May	Stokes
Carnes	Grainger	Meeks	Turner
Carter	Grey (D)	Naramore	Waldrop
Casey	Hearn	Nettles	Warren
Cauthen	Hughes	Parker	Weeks
Chesnut	Jackson	Porter	Williams
Connell			

—44

And the bill:

S. 506. To create the office of Ex-officio Judge of any County Court exercising original jurisdiction over general misdemeanors in Judicial Circuits composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people according to the last and any subsequent decennial Federal census; to prescribe the powers, duties and authority of the Ex-officio Judge; to provide for the appointment of such Ex-officio Judge, the fixing of his salary, and the furnishing of quarters, supplies

and assistants to him, and to provide a Supervisory Board, and prescribe its authorities and responsibilities.

Was again read at length and passed.

Yeas 49; Nays 1.

Yeas:

Messrs.:	Connell	Jackson	Porter
Adams	Cottingham	King	Pruitt
Bank	Crawford	Lutz	Roberts
Barkett	Cross	McCluskey	St. John
Barron	Culver	McDonald	Slate
Boles	Downing	Manley	Snell
Bowers	Drake	Mathews	Stokes
Brassell	Ellis	May	Taylor
Burgess	Fite	Meeks	Turner
Carnes	Grainger	Naramore	Waldrop
Carter	Grey (D)	Nettles	Wallace
Casey	Hearn	Parker	Weeks
Chesnut	Hughes		

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Nay: Mr. Robertson.

—1

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Callahan, the rules were suspended in order to take up for immediate consideration the third reading of the bill, S. 396.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Collins	Jones (F)	Robertson
Adams	Connell	King	Slate
Agee	Cross	Kinsey	Smith (P)
Barkett	Culver	Lutz	Snell
Barron	Doss	McCluskey	Stewart
Bassett	Downing	McMillan	Stokes
Benton	Edwards	May	Taylor
Boles	Ellis	Mims	Therrell
Bowers	Grainger	Naramore	Turner
Brassell	Grey (D)	Nettles	Waldrop
Callahan	Hardin	Perloff	Warren
Carnes	Harris	Porter	Weeks
Carter	Hearn	Reed (T)	Williams
Casey	Hughes	Reynolds	Wood
Cauthen	Jackson	Roberts	Wynot
Chesnut			

—61

And the bill:

S. 396. (With Substitute): To amend Section 85 of Title 2, Code of Alabama, 1940, as last amended, relating to incorporated marketing associations so as to expressly include persons engaged in fishing activities and the harvesting of aquatic products within its provisions.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Agriculture, said Committee substitute being as follows:

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A BILL
TO BE ENTITLED
AN ACT

To amend Sections 85 and 130 of Title 2 of the Code of Alabama of 1940 relating to incorporated agricultural cooperative marketing associations so as to expressly include persons engaged in fishing activities and the harvesting of aquatic and seafood products within its provisions.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 85 of Title 2, Code of Alabama of 1940, relating to incorporated agricultural cooperative marketing associations is hereby amended to read as follows:

"Section 85. DEFINITIONS OF TERMS.

The following definitions of words and phrases shall be applied to the construction of this article: The term "agricultural products" shall include horticultural, viticultural, forestry, dairy, live stock, poultry, bee, fish, aquatic and seafood products, and any farm products; the term "member" shall include actual members of associations without capital stock and holders of common stock in organizations organized with capital stock; the term "association" means any corporation organized under this subdivision and the term "person" shall include individuals, firms, partnerships and associations. The term "production of agricultural products" shall include fishing activities and the harvesting of aquatic and seafood products as well as the production of other agricultural or farm products as hereinabove defined."

Section 2. Section 130 of Title 2, Code of Alabama of 1940, relating to incorporated agricultural cooperative marketing associations is hereby amended to read as follows:

"Section 130. DEFINITIONS.

"Producers of agricultural products" herein mentioned shall include individual persons, partnerships, associations and corporations who produce such products either directly or as landlords, tenant or share-cropper. "Agricultural products" as herein defined shall include the products of field, pasture, meadow and garden, and fruits, melons, berries, nuts and vegetables, live stock, poultry and poultry products, dairy products, fish, aquatic and seafood products and all other things commonly known as agricultural products."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cottingham	Goodwin
Adams	Carnes	Cross	Grainger
Agee	Carter	Culver	Grey (D)
Barkett	Casey	Doss	Harris
Barron	Cauthen	Downing	Hearn
Bassett	Chesnut	Drake	Hobbie
Benton	Collins	Edwards	Hughes
Boles	Connell	Ellis	Jones (F)

King	Mims	Smith (P)	Turner
Kinsey	Naramore	Snell	Waldrop
Lutz	Nettles	Stewart	Warren
McCluskey	Porter	Stokes	Weeks
McDonald	Roberts	Taylor	Williams
McMillan	St. John	Therrell	Wood

—56

And the bill, S. 396 as thus amended, was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Connell	Hearn	Porter
Adams	Cottingham	Hobbie	Pruitt
Agee	Crawford	Hughes	Roberts
Barkett	Cross	Jones (F)	St. John
Barron	Culver	King	Smith (P)
Bassett	Doss	Kinsey	Snell
Benton	Downing	Lutz	Stewart
Boles	Drake	McCluskey	Taylor
Bowers	Edwards	McDonald	Therrell
Brassell	Ellis	McMillan	Turner
Callahan	Fite	Manley	Waldrop
Carnes	Goodwin	Meeks	Warren
Casey	Grainger	Mims	Weeks
Cauthen	Gray (F)	Naramore	Williams
Chesnut	Grey (D)	Nettles	Wood
Collins	Harris	Perloff	

—63

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Callahan, Rule 5(4) was suspended to permit the bill, up for immediate consideration the third reading of the bill, H. 1073.

Yeas 60; Nays 0.

Yeas:

Messrs.:	Cottingham	Hughes	Perloff
Adams	Crawford	Jackson	Reid (R)
Adwell	Cross	King	Reynolds
Agee	Culver	Kinsey	Roberts
Barkett	Downing	Lang	St. John
Barron	Drake	Lutz	Slate
Bassett	Edwards	McDonald	Smith (P)
Benton	Ellis	McMillan	Snell
Boles	Erdreich	McNair	Stewart
Brassell	Goodwin	Mathews	Stokes
Callahan	Gray (F)	May	Taylor
Carnes	Grey (D)	Meeks	Therrell
Carter	Hale	Mims	Turner
Cauthen	Hearn	Naramore	Williams
Collins	Hobbie	Nettles	Wood
Connell			

—60

And the bill:

H. 1073. To provide that Dauphin Island, located in Mobile County, be designated a bird sanctuary; providing penalties for the violation of this act.

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4661

Was read a third time at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hughes	Perloff
Adams	Crawford	Jackson	Porter
Agee	Cross	King	Reid (R)
Barkett	Culver	Kinsey	Reynolds
Barron	Downing	Lutz	Roberts
Bassett	Drake	McCluskey	St. John
Benton	Edwards	McCorquodale	Slate
Boles	Ellis	McDonald	Smith (P)
Brassell	Erdreich	McMillan	Snell
Callahan	Fite	Mathews	Stewart
Carnes	Goodwin	May	Stokes
Carter	Grainger	Meeks	Therrell
Casey	Gray (F)	Mims	Turner
Cauthen	Grey (D)	Naramore	Waldrop
Chesnut	Harris	Nettles	Williams
Collins	Hearn	Owens	Wood
Connell	Hobbie		

—66

RULE SUSPENDED

On motion of Mr Callahan, Rule 4(4) was suspended to permit the bill, H. 1073, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1073, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Boutwell, the rules were suspended in order to take up out of order from the Special Order Calendar, the third reading of the bill, H. 2029.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Jackson	Pruitt
Adams	Crawford	King	Reid (R)
Barkett	Crowe	Kinsey	Reynolds
Barron	Culver	Lutz	Roberts
Bassett	Downing	McBride	Slate
Benton	Edwards	McCluskey	Smith (P)
Boles	Ellis	McCorquodale	Snell
Bowers	Goodwin	McMillan	Stewart
Brassell	Grainger	McNair	Stokes
Callahan	Gray (F)	Manley	Taylor
Carnes	Grey (D)	May	Therrell
Carter	Hale	Meeks	Turner
Casey	Harris	Merrill	Waggoner
Cauthen	Hearn	Naramore	Waldrop
Chesnut	Hobbie	Perloff	Williams
Collins	Hughes	Porter	Wood
Connell			

—65

And the bill:

H. 2029. To further identify creditable years of service under the State Employees' Retirement System.

Was taken up.

Mr. Boutwell offered the following amendment to the bill:

Amend House Bill 2029 as follows:

Section 1, line 4 after the word "officer" add the following words "or subordinate officer"

And the amendment was adopted.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Jackson	Pruitt
Adams	Crawford	King	Reid (R)
Barkett	Cross	Kinsey	Reynolds
Barron	Culver	Lutz	Roberts
Bassett	Downing	McCluskey	Slate
Benton	Edwards	McCorquodale	Smith (P)
Boles	Ellis	McMillan	Snell
Bowers	Fite	McNair	Stewart
Brassell	Goodwin	Manley	Stokes
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Gray (D)	Meeks	Turner
Casey	Harris	Merrill	Waldrop
Cauthen	Hearn	Naramore	Williams
Chesnut	Hobbie	Perloff	Wood
Collins	Hughes	Porter	Wynot

—64

Was read a third time at length and passed.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Connell	Hughes	Pruitt
Adams	Cottingham	Jackson	Reid (R)
Barkett	Crawford	King	Roberts
Barron	Cross	Kinsey	Slate
Bassett	Culver	Lutz	Snell
Benton	Edwards	McCluskey	Stewart
Boles	Ellis	McMillan	Stokes
Bowers	Fite	McNair	Taylor
Brassell	Goodwin	Manley	Therrell
Callahan	Grainger	Mathews	Turner
Carnes	Gray (F)	May	Waldrop
Carter	Gray (D)	Meeks	Wallace
Casey	Harris	Merrill	Williams
Cauthen	Hearn	Naramore	Wood
Chesnut	Hobbie	Perloff	Wynot
Collins			

—61

RULE SUSPENDED

On motion of Mr. Boutwell, Rule 4(4) was suspended to permit the bill,

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H. 2029, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 2029, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Jones (F), the rules were suspended in order to take up out of order from the Special Order Calendar, the third reading of the bill, H. 125.

Yeas 65; Nays 0.

Yeas:

Messrs.:	Edwards	Lang	Reynolds
Adams	Ellis	Lutz	Roberts
Barkett	Falkenburg	McCorquodale	Smith (K)
Barron	Fite	McMillan	Snell
Bassett	Goodwin	Mathews	Stokes
Benton	Grainger	May	Taylor
Boles	Gray (F)	Meeks	Therrell
Boutwell	Grey (D)	Merrill	Waggoner
Brassell	Hardin	Mims	Waldrop
Callahan	Harris	Naramore	Wallace
Carnes	Hearn	Owens	Warren
Carter	Hobbie	Parker	Weeks
Chesnut	Hughes	Perloff	Williams
Collins	Jackson	Porter	Wise
Cottingham	Jones (F)	Reed (T)	Wood
Cross	King	Reid (R)	Wynot
Culver	Kinsey		

—65

And the bill:

H. 125. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Was taken up.

Mr. Jones (F) offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. All words and phrases defined in Act No. 515, H. 93 of the Regular Session of 1945 (Acts of 1945, p. 734—now appearing in the Code of Alabama, Recompiled 1958 and the Supplement thereto as Chapter 17, Sections 456 through 475 (56) of Title 55), as heretofore amended or superseded shall have the same meanings ascribed to them in such Act whenever used in this Act, unless the context clearly indicates that a different meaning is intended.

Section 2. On or after October 1, 1973, there is hereby provided to any State employee who is receiving a retirement allowance from the Employees' Retirement System of Alabama, and who was retired prior to October 1, 1973, an increase in his maximum retirement allowance in the amount of fifteen percent (15%).

Section 3. On or after October 1, 1973, there is hereby provided to any employee who was retired prior to October 1, 1973, as an employee participating in the Employees' Retirement System of Alabama under the provisions of Section 12 of said Act No. 515 of the 1945 Regular Session of the Legislature, as amended and supplemented, an increase in his maximum retirement allowance in the amount of fifteen percent (15%). The employer participating under said Section 12 as described above shall provide the funds necessary to pay the increase in retirement allowances as described herein.

Section 4. The board of control of the Employees' Retirement System of Alabama shall determine annually the amount required to pay the cost of the increased allowances under Section 2 of this Act and shall notify the chief fiscal officer of each employer the percentum rates of earnable compensation of the members required to be paid to the retirement system. The employer's payment on account of the increases provided in Section 2 of this Act shall be paid in the same manner and from the same source of funds as is provided in Section 8 of said Act No. 515 of the Regular Session of the Alabama Legislature of 1945, as amended or supplemented, it being the intent of the Legislature that the cost of providing the increases in Section 2 of this Act shall be distributed from all funds in proportion to the salaries paid therefrom for active members.

Section 5. There is hereby appropriated annually from the funds from which salaries are paid the amounts sufficient to carry out the provisions of Section 2 of this Act. In the case of those departments supported wholly by transfers from other State funds, there is hereby appropriated from the supporting funds such additional amounts as may be necessary to pay the employer contribution of each department so supported in the same proportion as the other State funds contribute to the support and maintenance of such department.

Section 6. The board of control of the Employees' Retirement System of Alabama shall determine annually the amount required to pay the cost of the increased allowances as provided under Section 3 of this Act and shall notify each employer the amount required to be paid to the Employees' Retirement System. Such amount shall be paid monthly, or as designated by the board of control, to the Employees' Retirement System of Alabama by the employer providing such increases under Section 3 of this Act.

Section 7. The board of control of the Employees' Retirement System of Alabama shall administer all the benefits provided by this Act under such rules and regulations as the said board of control may adopt, not inconsistent with this Act.

Section 8. The provisions of this Act are supplemental. It shall be construed in pari materia with other laws regulating and providing for the payment of retirement benefits to retired state employees; however, those laws or parts of laws which are in direct conflict or inconsistent herewith are hereby repealed.

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Section 9. This Act shall take effect October 1, 1973.

And the amendment was adopted.

Yeas 65; Nays 0.

Yeas:

Messrs.:	Cross	King	Reid (R)
Adams	Culver	Kinsey	Reynolds
Barkett	Doss	Lang	Roberts
Barron	Downing	Lutz	Slate
Bassett	Edwards	McCluskey	Smith (K)
Benton	Ellis	McCorquodale	Snell
Boles	Goodwin	McMillan	Taylor
Boutwell	Grainger	Mathews	Therrell
Brassell	Gray (F)	May	Waggoner
Callahan	Grey (D)	Mims	Waldrop
Carnes	Hardin	Naramore	Wallace
Carter	Harris	Owens	Warren
Casey	Hearn	Parker	Weeks
Cauthen	Hobbie	Perloff	Williams
Chesnut	Hughes	Porter	Wise
Collins	Jackson	Reed (T)	Wynot
Cottingham	Jones (F)		

—65

Was read a third time at length and passed.

Yeas 61; Nays 0.

Yeas:

Messrs.:	Cottingham	Kinsey	Reid (R)
Adams	Cross	Lang	Reynolds
Barkett	Downing	Lutz	Roberts
Barron	Edwards	McCluskey	Slate
Bassett	Ellis	McCorquodale	Smith (K)
Benton	Goodwin	McMillan	Snell
Boles	Grainger	Mathews	Taylor
Boutwell	Gray (F)	May	Therrell
Brassell	Grey (D)	Meeks	Waggoner
Callahan	Hardin	Mims	Waldrop
Carnes	Harris	Naramore	Warren
Carter	Hearn	Owens	Weeks
Casey	Hobbie	Perloff	Williams
Cauthen	Hughes	Porter	Wood
Chesnut	Jones (F)	Reed (T)	Wynot
Collins	King		

—61

RULE SUSPENDED

On motion of Mr. Jones (F), Rule 4(4) was suspended to permit the bill, H. 125, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 125, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Cauthen, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1465.

Yeas 68; Nays 0.

Yeas:

Messrs.:	Crawford	King	Reynolds
Adams	Cross	Kinsey	Roberts
Barkett	Culver	Lang	Slate
Barron	Downing	Lutz	Smith (K)
Bassett	Edwards	McCluskey	Snell
Benton	Ellis	McCorquodale	Stokes
Boles	Falkenburg	McMillan	Taylor
Boutwell	Goodwin	Manley	Turner
Bowers	Grainger	Mathews	Waggoner
Brassell	Gray (F)	May	Waldrop
Callahan	Hardin	Meeks	Wallace
Carnes	Harris	Mims	Warren
Carter	Hearn	Perloff	Weeks
Casey	Hobbie	Porter	Williams
Cauthen	Hughes	Pruitt	Wise
Chesnut	Jackson	Reed (T)	Wood
Connell	Jones (F)	Reid (R)	Wynot
Cottingham			

—68

And the bill:

H. 1465. To amend Sections 1, 2 and 4, Act No. 1593, S. 28, Regular Session 1971, relating to the duties, functions and personnel of the Department of Court Management and to provide or assist in providing continuing legal and judicial education to judges and court-affiliated personnel; and to add thereto additional sections pertaining to coordination of the administration of justice with other units of the judicial system or other units of government.

Was read a third time at length and passed.

Yeas 69; Nays 0.

Yeas:

Messrs.:	Cross	Kinsey	Roberts
Adams	Culver	Lutz	St. John
Barkett	Doss	McCluskey	Slate
Barron	Downing	McCorquodale	Smith (K)
Bassett	Edwards	McMillan	Snell
Benton	Ellis	Manley	Stokes
Boles	Falkenburg	Mathews	Taylor
Boutwell	Fite	Meeks	Turner
Bowers	Goodwin	Mims	Waggoner
Brassell	Gray (F)	Naramore	Waldrop
Callahan	Hardin	Nettles	Wallace
Carnes	Harris	Perloff	Warren
Carter	Hearn	Porter	Weeks
Casey	Hobbie	Pruitt	Williams
Cauthen	Hughes	Reed (T)	Wise
Chesnut	Jackson	Reid (R)	Wood
Cottingham	Jones (F)	Reynolds	Wynot
Crawford	King		

—69

RULE SUSPENDED

On motion of Mr. Cauthen, Rule 4(4) was suspended to permit the bill, H. 1465, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

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And the bill, H. 1465, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Drake, the rules were suspended in order to take up out of order from the Special Order Calendar, the third reading of the bill, H. 244.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Pruitt
Barkett	Culver	Jones (F)	Reed (T)
Barron	Downing	King	Reid (R)
Bassett	Edwards	Kinsey	Reynolds
Benton	Ellis	Lang	Roberts
Boles	Fite	Lutz	Slate
Boutwell	Goodwin	McCluskey	Smith (P)
Bowers	Grainger	McMillan	Stokes
Brassell	Gray (F)	Manley	Turner
Callahan	Grey (D)	May	Waggoner
Carnes	Hardin	Meeks	Waldrop
Carter	Harris	Mims	Warren
Casey	Hearn	Owens	Weeks
Chesnut	Hobbie	Perloff	Wise
Connell	Hughes	Porter	Wood
Cottingham			

—61

And the bill:

H. 244. (With Substitute): To abolish the Office of County Solicitor of Cullman County, Alabama, and to extend the power, authority and duties of the District Attorney of the Thirty-Second Judicial Circuit to require that he prosecute or supervise the prosecution of all misdemeanors and all felonies in any and all inferior courts in said Judicial Circuit and to perform all duties heretofore performed by the County Solicitor of Cullman County, and creating the Office of Deputy District Attorney for said Judicial Circuit to be appointed and serve at the pleasure of the District Attorney; setting the qualifications and salary of said Deputy District Attorney.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To abolish the Office of County Solicitor of Cullman County, Alabama, and to extend the power, authority and duties of the District Attorney of the Thirty-Second Judicial Circuit to require that he prosecute or supervise the prosecution of all misdemeanors and all felonies in any and all inferior courts in said Judicial Circuit and to perform all duties heretofore performed by the County Solicitor of Cullman County, and creating the Office of Deputy District Attorney for said Judicial Circuit to be appointed and serve at the pleasure of the District Attorney; setting the qualifications and salary of said Deputy District Attorney.

Be It Enacted by the Legislature of Alabama:

Section 1. The Office of County Solicitor of Cullman County, Alabama, is hereby abolished.

Section 2. The power, authority and duties of the District Attorney of the Thirty-Second Judicial Circuit shall be and hereby are extended to empower, authorize and require that he prosecute or supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary in any and all inferior courts located and constituted in the county composing such judicial circuit. Said duties shall also be extended to the prosecution or supervision of all criminal offenses to be tried in the Juvenile and Domestic Relations Courts of the Thirty-Second Judicial Circuit, and said District Attorney shall have the power and authority to take charge of any misdemeanor or felony heard or tried in such inferior courts, juvenile courts or domestic relations courts. Said District Attorney shall perform all duties heretofore performed by the County Solicitor of Cullman County.

Section 3. There is hereby authorized and created the Office of Deputy District Attorney for the Thirty-Second Judicial Circuit. The District Attorney for said circuit shall be and is hereby empowered to appoint said Deputy District Attorney who shall serve at the pleasure of the District Attorney. The Deputy District Attorney must be qualified by the laws and courts of this State for the practice of law. He must be a resident of the Thirty-Second Judicial Circuit. Such Deputy District Attorney shall be invested with all the rights, powers, privileges, immunities, obligations and responsibilities of the District Attorney. He, however, shall perform the duties of his office under the direction and control of the District Attorney, and he shall not be allowed to practice civil law.

Section 4. The Deputy District Attorney of the Thirty-Second Judicial Circuit shall be a state officer and he shall receive an annual salary of \$9,600.00, payable from the State Treasury in the same manner as the salaries of other state officers are paid. The county shall pay \$5,400.00 annually.

Section 5. The Cullman County Commission shall furnish said Deputy District Attorney with convenient and suitable office space in the Cullman County Courthouse with all the necessary and appropriate office furniture, including a telephone.

Section 6. This Act shall become effective upon the commencement of the next regular term of the District Attorney of the Thirty-Second Judicial Circuit, after its passage and approval by the Governor.

And the substitute was adopted.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Brassell	Doss	Grey (D)
Adams	Callahan	Downing	Hardin
Barkett	Carnes	Edwards	Hearn
Barron	Carter	Ellis	Hobbie
Bassett	Casey	Falkenburg	Hughes
Benton	Chesnut	Fite	Jackson
Boles	Cottingham	Goodwin	Jones (F)
Boutwell	Cross	Grainger	King
Bowers	Culver	Gray (F)	Kinsey

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Lutz	Naramore	St. John	Waggoner
McCluskey	Nettles	Slate	Waldrop
McMillan	Owens	Smith (P)	Warren
McNair	Perloff	Snell	Weeks
Manley	Porter	Stokes	Williams
May	Reid (R)	Taylor	Wise
Meeks	Reynolds	Turner	Wood
Mims	Roberts		

—66

And the bill, H. 244 as thus amended, was read a third time at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Connell	Jones (F)	Reynolds
Adams	Cottingham	King	Roberts
Agee	Cross	Kinsey	St. John
Barkett	Culver	Lutz	Smith (P)
Barron	Downing	McCluskey	Snell
Bassett	Edwards	McMillan	Stokes
Benton	Ellis	Manley	Turner
Boles	Fite	May	Waggoner
Boutwell	Goodwin	Meeks	Waldrop
Bowers	Grainger	Mims	Wallace
Brassell	Gray (F)	Naramore	Warren
Callahan	Grey (D)	Owens	Weeks
Carnes	Hardin	Porter	Williams
Carter	Hearn	Reed (T)	Wise
Casey	Hughes	Reid (R)	Wood
Chesnut	Jackson		

—62

RULE SUSPENDED

On motion of Mr. Drake, Rule 4(4) was suspended to permit the bill, H. 244, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 244, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McCluskey, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1217.

Yeas 59; Nays 0.

Yeas:

Messrs.:	Chesnut	Goodwin	King
Agee	Connell	Grainger	Kinsey
Barkett	Cottingham	Gray (F)	Lutz
Barron	Cross	Grey (D)	McCluskey
Bassett	Culver	Hardin	McMillan
Boles	Doss	Harris	Manley
Bowers	Downing	Headley	May
Callahan	Edwards	Hearn	Meeks
Carnes	Ellis	Hughes	Mims
Carter	Falkenburg	Jackson	Owens
Casey	Fite	Jones (F)	Porter

Reid (R)
Reynolds
Roberts
Slate

Smith (P)
Stokes
Stubbs
Turner

Waggoner
Waldrop
Wallace
Warren

Weeks
Williams
Wise
Wood

—59

And the bill:

H. 1217. To amend Section 170 of Act No. 407 of the Regular Session 1971, approved August 25, 1971, entitled, "An Act to provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign alien insurance companies, societies, and associations; to provide their rights, power and immunities, and to prescribe the conditions on which insurance companies, societies and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes;" so as to authorize the Commissioner of Insurance to issue licenses to non-resident persons in cases where the applicant for license is sponsored to the Department of Defense to solicit life and disability insurance from military personnel of the United States on military bases of such country outside its continental limits and within the geographical limits of jurisdictions which do not regulate the solicitation of such applications for insurance on such military bases.

Was read a third time at length and passed.

Yeas 60; Nays 1.

Yeas:

Messrs.:
Adams
Agee
Barkett
Barron
Bassett
Boles
Bowers
Callahan
Carnes
Casey
Chesnut
Connell
Cottingham
Crawford
Culver

Doss
Edwards
Ellis
Falkenburg
Fite
Goodwin
Grainger
Gray (F)
Grey (D)
Hardin
Harris
Headley
Hearn
Hughes
Jackson

Jones (F)
King
Kinsey
Lutz
McCluskey
McMillan
Manley
May
Meeks
Mims
Nettles
Perloff
Porter
Pruitt
Reid (R)

Reynolds
Roberts
Slate
Smith (P)
Snell
Stokes
Turner
Waggoner
Waldrop
Wallace
Warren
Weeks
Williams
Wise
Wood

—60

Nay* Mr. Downing.

—1

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RULE SUSPENDED

On motion of Mr. McCluskey, Rule 4(4) was suspended to permit the bill, H. 1217, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1217, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Hardin, the rules were suspended in order to take up out of order from the Special Order Calendar, the third reading of the bill, H. 138.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Cross	King	Roberts
Adams	Culver	Kinsey	Smith (P)
Agee	Doss	Lang	Snell
Barkett	Downing	Lutz	Stokes
Bassett	Ellis	McCluskey	Turner
Benton	Falkenburg	Manley	Turnham
Boles	Goodwin	May	Waggoner
Callahan	Grainger	Meeks	Waldrop
Carnes	Grey (D)	Mims	Wallace
Carter	Hardin	Perloff	Weeks
Casey	Harris	Porter	Williams
Chesnut	Headley	Pruitt	Wise
Connell	Hearn	Reid (R)	Wood
Cottingham	Jones (F)		

—54

And the bill:

H. 138. To amend Section 464 of Title 51 of the Code of Alabama of 1940 relating to license tags for automobiles so as to abolish license tag provisions for automobile dealers.

Was read a third time at length and passed.

Yeas 47; Nays 4.

Yeas:

Messrs.:	Cottingham	Harris	Reid (R)
Adams	Cross	Headley	Roberts
Agee	Doss	Hearn	Robertson
Barkett	Downing	Jones (F)	Snell
Bassett	Ellis	King	Stewart
Benton	Falkenburg	Kinsey	Stokes
Boles	Fite	Lang	Turnham
Callahan	Goodwin	Lutz	Waggoner
Carnes	Grainger	Mathews	Waldrop
Carter	Gray (F)	May	Weeks
Chesnut	Grey (D)	Merrill	Wise
Connell	Hardin	Perloff	Wood

—47

Nays: Messrs. Barron, Crawford, Hughes and Warren.

—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Mr. Hardin, Rule 4(4) was suspended to permit the bill, H. 138, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 138, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. St. John, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1458.

Yeas 55; Nays 0.

Yeas:

Messrs.:	Crawford	King	Pruitt
Adams	Cross	Kinsey	Roberts
Agee	Downing	Lang	Smith (P)
Barkett	Edwards	Lutz	Snell
Barron	Ellis	McCluskey	Stewart
Benton	Erdreich	McMillan	Stokes
Boles	Falkenburg	Manley	Therrell
Bowers	Fite	May	Turner
Callahan	Grainger	Meeks	Turnham
Carnes	Gray (F)	Merrill	Waggoner
Carter	Harris	Naramore	Waldrop
Casey	Hearn	O'Daniel	Wallace
Connell	Hughes	Perloff	Weeks
Cottingham	Jones (F)	Porter	Williams

—55

And the bill:

H. 1458. This bill will allow Circuit Judges on a statewide basis to appoint a temporary special court reporter when in his opinion such appointment is justified thereby allowing the official reporter time out of Court to keep his appeal case work current and not, as now, limited to sickness or other cause when the official court reporter cannot fulfill his or her function in court.

Was read a third time at length and passed.

Yeas 55; Nays 0.

Yeas:

Messrs.:	Boles	Connell	Ellis
Adams	Bowers	Cottingham	Erdreich
Agee	Callahan	Crawford	Falkenburg
Barkett	Carnes	Cross	Fite
Barron	Carter	Downing	Grainger
Benton	Casey	Edwards	Gray (F)

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Harris	McCluskey	Perloff	Therrell
Hearn	McMillan	Porter	Turner
Hughes	Manley	Pruitt	Turnham
Jones (F)	May	Roberts	Waggoner
King	Meeks	Smith (P)	Waldrop
Kinsey	Merrill	Snell	Wallace
Lang	Naramore	Stewart	Weeks
Lutz	O'Daniel	Stokes	Williams

—55

RULE SUSPENDED

On motion of Mr. St. John, Rule 4(4) was suspended to permit the bill, H. 1458, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1458, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. St. John, the rules were suspended in order to take up out of order from the Special Order Calendar, the third reading of the bill, H. 1280.

Yeas 42; Nays 1.

Yeas:

Messrs.:	Connell	Harris	Snell
Barkett	Cottingham	Headley	Stewart
Barron	Cross	Hearn	Stokes
Bassett	Culver	Hughes	Therrell
Benton	Downing	King	Turner
Boles	Ellis	Lutz	Waggoner
Callahan	Erdreich	McCluskey	Waldrop
Carnes	Falkenburg	McMillan	Wallace
Carter	Fite	Meeks	Warren
Casey	Grainger	Porter	Weeks
Chesnut	Gray (F)	Reid (R)	

—42

Nay: Mr. Adams.

—1

And the bill:

H. 1280. (With Substitute): To amend Title 13, Section 262 and Section 263, Code of Alabama, 1940, as recompiled 1958, by deleting therefrom that portion relating to transcript fees of court reporters.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Title 13 Section 262 and Section 263, Code of Alabama, 1940, as recompiled 1958, by deleting therefrom that portion relating to transcript fees of court reporters.

Section I.

"Section 262. DUTIES OF COURT REPORTER.

The official court reporter shall attend in person, except as otherwise herein provided, the sessions of court held in the circuit for which he is appointed, and in every case where directed by the judge or requested by a party thereto, he shall take full stenographic notes of the oral testimony and proceedings, except argument of counsel, and note the order in which all documentary evidence is introduced, all objections of counsel, the rulings of the court thereon, and exceptions taken or reserved thereto. When directed by the said judge he shall attend the investigations of the grand jury and there take such notes of the testimony as directed by the solicitor or foreman. The original stenographic notes of such court reporter in each case or proceeding officially reported shall be preserved by him and treated as a part of the records of the respective courts, and upon his retirement from office, shall be turned over to the clerks of such courts. In equity cases where the testimony is taken orally before the judge, the court reporter, whenever ordered by the judge, shall transcribe his stenographic notes of such oral testimony, and file same in the cause."

"Section 263. TRANSCRIPT FURNISHED TO PARTIES; FEES FOR.

The court reporter shall furnish, within thirty days, or such other time as the judge may prescribe, to any party to a cause reported by him, upon demand being made for the same, or upon order of the presiding judge, a typewritten transcript of his stenographic notes or any part thereof, except proceedings before the grand jury; but such court reporter shall not be required to perform any part of such service until the payment or security thereof is assured. The Supreme Court of Alabama shall have the power from time to time to determine court reporters fees for the making of transcripts which determination shall be published in the Alabama Reports."

Section II. All laws or parts of laws inconsistent or in conflict with the provisions of this Act, including all amendments related thereto, are hereby expressly repealed.

Section III. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 49; Nays 0.

Yeas:

Messrs.:	Culver	Kinsey	Pruitt
Adams	Downing	Lutz	Smith (P)
Barkett	Edwards	McCluskey	Snell
Barron	Ellis	McMillan	Stewart
Bassett	Erdreich	Manley	Stokes
Boles	Falkenburg	May	Taylor
Carnes	Grainger	Meeks	Turner
Carter	Gray (F)	Merrill	Waggoner
Casey	Harris	Mims	Waldrop
Chesnut	Headley	Naramore	Wallace
Connell	Hearn	O'Daniel	Weeks
Cottingham	Hughes	Porter	Williams
Cross	King		

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33rd Day

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1280 as thus amended, was again read at length and passed.

Yeas 56; Nays 0.

Yeas:

Messrs.:	Downing	Jones (F)	Pruitt
Adams	Edwards	King	Reynolds
Barron	Ellis	Kinsey	Smith (P)
Bassett	Erdreich	Lutz	Snell
Boles	Falkenburg	McCluskey	Stokes
Bowers	Fite	McMillan	Taylor
Callahan	Flippo	Manley	Therrell
Carnes	Grainger	May	Turner
Carter	Gray (F)	Meeks	Waggoner
Casey	Hardin	Mims	Waldrop
Chesnut	Harris	Naramore	Wallace
Connell	Hearn	Nettles	Warren
Cottingham	Hill	O'Daniel	Weeks
Cross	Hughes	Porter	Williams
Doss			

—56

RULE SUSPENDED

On motion of Mr. St. John, Rule 4(4) was suspended to permit the bill, H. 1280, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1280, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. St. John, the rules were suspended in order to take up out of order from the Special Order Calendar the third reading of the bill, H. 1278.

Yeas 48; Nays 0.

Yeas:

Messrs.:	Cross	Kinsey	Reid (R)
Adams	Downing	Lutz	Reynolds
Barron	Edwards	McCluskey	Smith (P)
Boles	Ellis	McMillan	Snell
Bowers	Falkenburg	Manley	Taylor
Callahan	Grainger	May	Turner
Carnes	Gray (F)	Meeks	Waggoner
Carter	Harris	Mims	Waldrop
Casey	Hearn	Naramore	Wallace
Chesnut	Hughes	Nettles	Warren
Connell	Jones (F)	Porter	Williams
Cottingham	King	Pruitt	Wood
Crawford			

—48

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1278. This is a bill increasing the salary of supernumerary court reporters as last amended by Act No. 753, S. 478, Acts of Alabama, 1967 (Vol. II, p. 1607) and to provide that when called to active court service that they be paid the same salary and in like manner as official court reporters by further amending Section 3, Act No. 817, H. 298, Regular Session 1961 providing supernumerary circuit court reporters for the State of Alabama; prescribing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and making an appropriation to pay their salaries.

Was read a third time at length and passed.

Yeas 54; Nays 0.

Yeas:

Messrs.:	Downing	Kinsey	Slate
Adams	Edwards	Lutz	Smith (P)
Bank	Ellis	McCluskey	Snell
Barron	Erdreich	McMillan	Stewart
Boles	Falkenburg	Manley	Stokes
Bowers	Flippo	May	Turner
Carnes	Goodwin	Meeks	Waggoner
Carter	Grainger	Merrill	Waldrop
Casey	Gray (F)	Mims	Wallace
Chesnut	Hearn	Naramore	Warren
Connell	Hill	Nettles	Weeks
Cottingham	Hughes	Porter	Williams
Cross	Jackson	Pruitt	Wood
Doss	King	Reynolds	

—54

RULE SUSPENDED

On motion of Mr. St. John, Rule 4(4) was suspended to permit the bill, H. 1278, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1278, was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1108. To amend further Code of Alabama 1940, Title 51, Section 741, as amended by Act No. 73, Section 2, Acts of Alabama 1955, Vol. I, p. 188 at pp 190-191, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Burgess, the House concurred in and adopted the Senate amendment to the bill, H. 1108, said Senate amendment being as follows:

Amend H. B. 1108 by striking therefrom the Gilmore Amendment.

Amendment to H. B. 1108.

Amend H. B. 1108 by striking therefrom the following:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 3 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Nettles
Bank	Culver	King	Porter
Barron	Downing	Kinsey	Pruitt
Benton	Drake	Lang	Reid (R)
Boles	Edwards	Lutz	Reynolds
Boutwell	Erdreich	McCluskey	St. John
Burgess	Falkenburg	McDonald	Smith (P)
Callahan	Fite	McMillan	Stewart
Carnes	Goodwin	Manley	Waldrop
Carter	Grainger	May	Wallace
Casey	Grey (D)	Meeks	Warren
Chesnut	Harris	Merrill	Weeks
Connell	Hearn	Mims	Williams
Cottingham	Hughes	Naramore	Wood
Crawford	Jackson		

—58

And the bill, H. 1108 as thus amended, was again read at length and passed.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Nettles
Bank	Downing	King	Parker
Barron	Drake	Kinsey	Porter
Benton	Edwards	Lutz	Pruitt
Boutwell	Erdreich	McCluskey	Reid (R)
Burgess	Falkenburg	McDonald	St. John
Carnes	Fite	McMillan	Smith (P)
Carter	Goodwin	Manley	Stewart
Casey	Grainger	Mathews	Waldrop
Chesnut	Grey (D)	May	Wallace
Connell	Harris	Meeks	Warren
Cottingham	Hearn	Merrill	Weeks
Crawford	Hughes	Mims	Williams
Cross	Jackson	Naramore	

—55

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1113. To amend Act No. 78, Second Special Session, 1955, Acts of Alabama 1955, Vol. 1, p. 199, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Burgess, the House concurred in and adopted the Senate amendment to the bill, H. 1113, said Senate amendment being as follows:

Amend H. B. 1113 by striking therefrom the Gilmore Amendment.

Amend H. B. 1113 by striking therefrom the following:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Crawford	King	Parker
Bank	Cross	Kinsey	Perloff
Barron	Culver	Lutz	Porter
Benton	Drake	McCluskey	Reid (R)
Boles	Edwards	McDonald	Reynolds
Boutwell	Erdreich	McMillan	St. John
Burgess	Fite	Mathews	Smith (P)
Callahan	Goodwin	May	Stewart
Carnes	Grainger	Meeks	Waldrop
Carter	Grey (D)	Merrill	Wallace
Casey	Harris	Mims	Warren
Chesnut	Hearn	Naramore	Weeks
Connell	Hughes	Nettles	Williams
Cottingham	Jones (F)		

—54

And the bill, H. 1113 as thus amended, was again read at length and passed.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker	Benton	Burgess	Carter
Bank	Boles	Callahan	Casey
Barron	Boutwell	Carnes	Chesnut

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Cottingham	Grainger	McDonald	Reid (R)
Crawford	Grey (D)	McMillan	Reynolds
Cross	Harris	May	St. John
Culver	Hearn	Meeks	Smith (P)
Downing	Hughes	Merrill	Stewart
Drake	Jones (F)	Mims	Waldrop
Edwards	King	Naramore	Wallace
Erdreich	Kinsey	Nettles	Warren
Fite	Lutz	Perloff	Weeks
Goodwin	McCluskey	Porter	Wynot

—52

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1112. To amend Act No. 100, Section 32, Second Special Session, 1959, Acts of Alabama 1959, Vol. I, p. 298 at pp 314-315, the Alabama Sales Tax Law, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Burgess, the House concurred in and adopted the Senate amendment to the bill, H. 1112, said Senate amendment being as follows:

AMENDMENT TO H. B. 1112

Amend H. B. 1112 by striking therefrom the Gilmore Amendment

Amend H. B. 1112 by striking therefrom the following:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Casey	Falkenburg	Jackson
Bank	Chesnut	Fite	Jones (F)
Barron	Cottingham	Flippo	King
Boles	Crawford	Goodwin	Kinsey
Boutwell	Cross	Grainger	Lutz
Burgess	Culver	Grey (D)	McCluskey
Callahan	Downing	Harris	McCorquodale
Carnes	Edwards	Hearn	McDonald
Carter	Erdreich	Hughes	McMillan

May
Meeks
Merrill
Mims
Naramore

Nettles
Perloff
Porter
Reynolds
St. John

Smith (P)
Stewart
Stokes
Waldrop

Wallace
Warren
Weeks
Wynot

—54

And the bill, H. 1112 as thus amended, was again read at length and passed.

Yeas 52; Nays 0.

Yeas:

Mr. Speaker
Bank
Barron
Boles
Boutwell
Burgess
Callahan
Carnes
Carter
Casey
Chesnut
Connell
Cottingham

Crawford
Cross
Culver
Downing
Edwards
Erdreich
Fite
Goodwin
Grainger
Harris
Hearn
Hughes
Jackson

Jones (F)
King
Kinsey
Lutz
McCluskey
McCorquodale
McDonald
McMillan
May
Meeks
Merrill
Mims
Naramore

Nettles
Perloff
Porter
Reid (R)
Reynolds
St. John
Smith (P)
Stewart
Waldrop
Wallace
Warren
Weeks
Wynot

—52

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1110. To amend further Act No. 92, Special Session, 1963, Acts of Alabama 1963, Vol. I, p. 257 at p. 258, as amended, by Act No. 135, Acts of Alabama 1964, pp 199-200, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization of the use of funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Burgess, the House concurred in and adopted the Senate amendment to the bill, H. 1110, said Senate amendment being as follows:

Amend H. B. 1110 by striking therefrom the Gilmore Amendment.

Amend H. B. 1110 by striking therefrom the following:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

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Yeas 53; Nays 0.

Yeas:

Mr. Speaker	Cross	Jackson	Nettles
Bank	Culver	Jones (F)	Perloff
Barron	Downing	King	Porter
Boles	Drake	Kinsey	Reid (R)
Boutwell	Edwards	Lutz	Reynolds
Burgess	Erdreich	McCluskey	St. John
Callahan	Fite	McDonald	Smith (P)
Carnes	Goodwin	McMillan	Stewart
Carter	Grainger	May	Waldrop
Casey	Grey (D)	Meeks	Wallace
Chesnut	Harris	Merrill	Warren
Connell	Hearn	Mims	Weeks
Cottingham	Hughes	Naramore	Wynot
Crawford			

—53

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1110 as thus amended, was again read at length and passed.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Parker
Bank	Downing	King	Perloff
Barron	Drake	Kinsey	Porter
Boles	Edwards	Lutz	Reid (R)
Boutwell	Erdreich	McCluskey	Reynolds
Burgess	Fite	McDonald	St. John
Callahan	Goodwin	McMillan	Smith (P)
Carnes	Grainger	May	Stewart
Casey	Grey (D)	Meeks	Waldrop
Cauthen	Hardin	Merrill	Wallace
Chesnut	Harris	Mims	Warren
Connell	Hearn	Naramore	Weeks
Cottingham	Hughes	Nettles	Wynot
Cross	Jackson		

—54

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1109. To amend further Code of Alabama 1940, Title 51, Section 350, as amended, by Act No. 74, Acts of Alabama 1955, Vol. I, p. 191 at p. 192; and as further amended by Act No. 103, Acts of Alabama 1971, Vol. I, pp 184-186, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Burgess, the House concurred in and adopted the Senate amendment to the bill, H. 1109, said Senate amendment being as follows:

Amend H. B. 1109 by striking therefrom the Gilmore Amendment.

Amend H. B. 1109 by striking therefrom the following:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

Yeas 49; Nays 0.

Yeas:

Messrs.:	Cross	Jackson	Nettles
Bank	Culver	Jones (F)	Perloff
Barron	Downing	King	Porter
Boles	Drake	Kinsey	Reynolds
Boutwell	Edwards	Lutz	St. John
Burgess	Erdreich	McCluskey	Smith (K)
Callahan	Fite	McCorquodale	Smith (P)
Carnes	Goodwin	McDonald	Stewart
Carter	Grainger	McMillan	Waldrop
Casey	Hardin	May	Warren
Chesnut	Harris	Merrill	Weeks
Connell	Hearn	Naramore	Wynot
Cottingham	Hughes		

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1109 as thus amended, was again read at length and passed.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Goodwin	Lutz
Bank	Connell	Grainger	McCluskey
Barron	Cottingham	Grey (D)	McDonald
Boles	Cross	Hardin	McMillan
Boutwell	Culver	Harris	Manley
Burgess	Doss	Hearn	May
Callahan	Downing	Hughes	Meeks
Carnes	Drake	Jackson	Merrill
Carter	Edwards	Jones (F)	Naramore
Casey	Erdreich	King	Perloff
Cauthen	Fite	Kinsey	Porter

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Reid (R)
Reynolds
St. John

Smith (K)
Smith (P)

Stewart
Waldrop

Weeks
Williams

—53

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1111. To further amend Section 5 of Act No. 298, Regular Session, 1947, General Acts of Alabama 1947, p. 149, as amended, by Act No. 589, Acts of Alabama 1963, Vol. II, pp 1285-1287; as further amended by Act No. 766, Acts of Alabama 1965, Vol. II, p. 1378, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Burgess, the House concurred in and adopted the Senate amendment to the bill, H. 1111, said Senate amendment being as follows:

Amend H. B. 1111 by striking therefrom the Gilmore Amendment.

Amend H. B. 1111 by striking therefrom the following:

In this Act, "general welfare purposes" means (1) The administration of public assistance as set out in Sections 5 and 13, Act No. 703, 1951 Acts, page 1219, codified in the recompiled Code of Alabama 1958, as Title 49, Sections 17 (6) and 17 (14), (2) services, including supplementation and supplementary services under the Federal Social Security Act, to or on behalf of persons to whom such public assistance may be given under said Section 13 of Act No. 703, 1951 Acts, and (3) services to and on behalf of dependent, neglected, or delinquent children; and (4) investigative and referral services to and on behalf of needy persons.

Yeas 52; Nays 0.

Yeas:

Messrs.:
Bank
Barron
Boles
Boutwell
Burgess
Callahan
Carnes
Carter
Casey

Chesnut
Connell
Cottingham
Cross
Culver
Doss
Downing
Drake
Edwards
Erdreich

Fite
Goodwin
Grainger
Hearn
Hughes
Jackson
Jones (F)
King
Kinsey
Lutz

McCluskey
McDonald
McMillan
Manley
May
Meeks
Merrill
Naramore
Nettles
Parker

Perloff	St. John	Stewart	Warren
Porter	Smith (K)	Waldrop	Weeks
Pruitt	Smith (P)	Wallace	Wynot
Reynolds			

—52

PRESENCE OF QUARUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1111 as thus amended, was again read at length and passed.

Yeas 55; Nays 0.

Yeas:

Messrs.:	Culver	Jackson	Porter
Bank	Doss	Jones (F)	Reed (T)
Barron	Downing	King	Reid (R)
Benton	Drake	Kinsey	Reynolds
Boles	Edwards	Lutz	St. John
Boutwell	Erdreich	McCluskey	Smith (K)
Burgess	Fite	McDonald	Smith (P)
Callahan	Goodwin	McMillan	Stewart
Carnes	Grainger	Manley	Waldrop
Carter	Grey (D)	May	Wallace
Casey	Hardin	Merrill	Warren
Chesnut	Harris	Naramore	Weeks
Connell	Hearn	Nettles	Williams
Cottingham	Hughes	Parker	Wynot

—55

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Owens, the rules were suspended in order to take up out of order from the Special Order Calendar, the third reading of the bill, H. 1757.

Yeas 57; Nays 0.

Yeas:

Messrs.:	Doss	Lutz	Perloff
Bank	Downing	McCluskey	Porter
Barron	Drake	McDonald	Pruitt
Bassett	Edwards	McMillan	Reid (R)
Boles	Fite	Manley	Reynolds
Boutwell	Goodwin	Mathews	St. John
Callahan	Grainger	May	Slate
Carnes	Grey (D)	Meeks	Smith (K)
Carter	Hardin	Merrill	Smith (P)
Casey	Harris	Mims	Stokes
Chesnut	Hearn	Naramore	Waldrop
Connell	Hughes	Nettles	Wallace
Cottingham	Jackson	Owens	Warren
Cross	King	Parker	Weeks
Culver	Kinsey		

—57

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And the bill:

H. 1757. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Department of Education to establish a special fund to be designated as the "Driver Education and Training Fund" for the express purpose of instituting and conducting a program of prelicensing driver education and training.

Was read a third time at length and passed.

Yeas 58; Nays 1.

Yeas:

Messrs.:	Culver	Lutz	Porter
Adwell	Doss	McCluskey	Pruitt
Bank	Downing	McDonald	Reid (R)
Barron	Drake	McMillan	Reynolds
Bassett	Edwards	Manley	St. John
Boles	Erdreich	Mathews	Smith (K)
Boutwell	Fite	May	Smith (P)
Callahan	Goodwin	Meeks	Stokes
Carnes	Grainger	Merrill	Therrell
Carter	Grey (D)	Mims	Turner
Casey	Hardin	Naramore	Waldrop
Chesnut	Harris	Nettles	Wallace
Connell	Hughes	Owens	Warren
Cottingham	Jackson	Parker	Weeks
Cross	Kinsey	Perloff	

—58

Nay: Mr. King.

—1

RULE SUSPENDED

On motion of Mr. Owens, Rule 4(4) was suspended to permit the bill, H. 1757, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1757, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Waldrop, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 233.

Yeas 52; Nays 5.

Yeas:

Messrs.:	Chesnut	Grainger	McMillan
Adwell	Collins	Grey (D)	Manley
Bank	Connell	Hardin	Mathews
Barron	Coshatt	Harris	May
Bassett	Cottingham	Hughes	Meeks
Boles	Cross	Jackson	Merrill
Boutwell	Culver	King	Naramore
Callahan	Doss	Kinsey	Parker
Carnes	Downing	Lutz	Perloff
Carter	Edwards	McCluskey	Porter
Casey	Goodwin	McDonald	Pruitt

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Reynolds Smith (K) Stokes	Therrell Timmons	Turner Waggoner	Waldrop Weeks	—52
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Nays:

Mr. Speaker Crowe	St. John	Slate	Smith (P)	—5
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And the bill:

H. 233. To amend Section 37 of Act No. 516, H. 769, Regular Session 1949, which Act regulates use of highways by pedestrians and vehicles, by allowing a vehicle to turn right on a red traffic signal after making a full stop.

Was read a third time at length and passed.

Yeas 42; Nays 9.

Yeas:

Messrs.:	Coshatt	Harris	Parker	
Bank	Cottingham	Hughes	Porter	
Barron	Cross	Jackson	Reynolds	
Bassett	Crowe	King	Slate	
Boles	Culver	Kinsey	Smith (K)	
Boutwell	Doss	Lutz	Stokes	
Carnes	Downing	McMillan	Timmons	
Carter	Goodwin	Mathews	Waggoner	
Casey	Grainger	Meeks	Waldrop	
Chesnut	Grey (D)	Naramore	Weeks	
Connell	Hardin	Owens		—42

Nays:

Mr. Speaker Adwell McCluskey	McDonald Mims	Nettles St. John	Smith (P) Warren	—9
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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Mr. Waldrop, Rule 4(4) was suspended to permit the bill, H. 233, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 233, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Waldrop, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 234.

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Yeas 44; Nays 11.

Yeas:

Messrs.:	Culver	Lutz	Porter
Adwell	Doss	McDonald	Pruitt
Bank	Downing	McMillan	Reid (R)
Barron	Erdreich	Manley	Reynolds
Boles	Falkenburg	Mathews	St. John
Boutwell	Fite	May	Smith (K)
Brassell	Grainger	Meeks	Stokes
Carnes	Grey (D)	Merrill	Taylor
Carter	Hardin	Naramore	Therrell
Chesnut	Hughes	Parker	Waldrop
Cross	King	Perloff	Weeks
Crowe			—44

Nays:

Mr. Speaker	Jackson	Owens	Turner
Connell	Mims	Slate	Warren
Cottingham	Nettles	Smith (P)	—11

And the bill:

H. 234. Rleating to speed limits on interstate highways, providing a minimum and maximum speed on such highways and prescribing penalties therefor.

Was read a third time at length and passed.

Yeas 44; Nays 9.

Yeas:

Messrs.:	Culver	Kinsey	Reid (R)
Barkett	Doss	Lang	Reynolds
Bassett	Downing	Lutz	St. John
Benton	Erdreich	McDonald	Smith (K)
Boles	Fite	McMillan	Stokes
Boutwell	Goodwin	Manley	Therrell
Burgess	Grainger	Meeks	Timmons
Carnes	Gray (F')	Naramore	Turner
Carter	Hardin	Perloff	Waldrop
Chesnut	Hughes	Porter	Weeks
Collins	King	Pruitt	Wynot
Cross			—44

Nays:

Mr. Speaker	Connell	Mims	Owens
Adwell	Jackson	Nettles	Slate
Barron			—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Mr. Waldrop, Rule 4(4) was suspended to permit the bill, H. 234, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 234, was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor returning House Bill Number 977 without his approval.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 28th DAY OF AUGUST, 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

At the request of Representative Daniel Kinsey, I am returning to you, the Body in which it originated, House Bill Number 977, without my approval and with a suggested Executive Amendment.

In Section 1 strike in its entirety the line appearing in Section 17, Paragraph 5, which reads as follows:

"Baldwin 30 15 15"

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Turner, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 977, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 62; Nays 1.

Yeas:

Mr. Speaker
Adwell
Bank

Barkett
Barron
Bassett

Boles
Boutwell
Carnes

Carter
Chesnut
Connell

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Cottingham	Harris	Mathews	Slate
Cross	Hughes	May	Smith (K)
Culver	Jackson	Meeks	Smith (P)
Downing	Jones (F)	Mims	Stokes
Drake	King	Naramore	Therrell
Edwards	Kinsey	Owens	Timmons
Ellis	Lang	Perloff	Turner
Erdreich	Lutz	Porter	Waldrop
Fite	McCluskey	Reid (R)	Wallace
Goodwin	McCorquodale	Reynolds	Warren
Grainger	McDonald	Robertson	Weeks
Grey (D)	McMillan	St. John	Wynot
Hardin	McNair		
			—62
Nay:	Mr. Benton.		—1

Which was a majority of the whole number elected to the House.

And the bill:

H. 977. To amend further Code of Alabama 1940, Title 51, Section 17, as last amended by the state-wide property tax classification act (Act No. 166, H. 57, 1971 Third Special Session), so as to raise the ratio of assessed value to fair and reasonable market value of property in certain counties and to lower such ratio in other counties.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 59; Nays 1.

Yeas:

Mr. Speaker	Downing	King	Reid (R)
Adwell	Drake	Kinsey	Reynolds
Bank	Edwards	Lang	Robertson
Barkett	Ellis	Lutz	St. John
Barron	Erdreich	McCluskey	Smith (K)
Bassett	Fite	McDonald	Smith (P)
Boles	Gafford	McMillan	Stewart
Boutwell	Goodwin	McNair	Stokes
Carnes	Grainger	Mathews	Turner
Carter	Grey (D)	May	Waldrop
Cauthen	Hardin	Meeks	Wallace
Chesnut	Harris	Merrill	Weeks
Cottingham	Hughes	Owens	Williams
Cross	Jackson	Perloff	Wynot
Culver	Jones (F)	Porter	
			—59
Nay:	Mr. Benton.		—1

Which was a majority at the whole number elected to the House.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Benton, unanimous consent was granted for the Journal to show him voting "Yea" on the bill, H. 977.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 118. To authorize and permit teachers who have retired under the Teachers' Retirement Act to perform duties in the Public schools of Alabama and any state supported institution of higher learning when they are physically and mentally able to do so in the opinion of the employing authority, to prescribe the limitations therefor and to repeal Act No. 738 of the 1969 Regular Session of the Legislature.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor returning House Bill No. 1791, with a suggested Executive Amendment.

Respectfully submitted,
HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 28TH DAY OF AUGUST, 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

At the request of the sponsor, I am returning to you, the Body in which it originated, House Bill Number 1791 without my approval and with a suggested Executive Amendment.

It is suggested that Section 2 be amended by striking the words "from the general funds of such counties" and after the word "payable" in Section 2, insert in lieu thereof the following words:

"from funds available to the County Board of Education."

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Grey (D), the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1791, said Governor's amendment being set out in the above and foregoing Message from the Governor.

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Yeas 32; Nays 0.

Yeas:

Mr. Speaker	Downing	Kinsey	Pruitt
Adwell	Edwards	Lutz	Reynolds
Barron	Fite	McMillan	Smith (K)
Bassett	Goodwin	Manley	Smith (P)
Carnes	Grainger	May	Stewart
Carter	Hardin	Merrill	Therrell
Cross	Jones (F)	Naramore	Waldrop
Culver	King	Perloff	Wynot

—32

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1791. Relating to the boards of education in counties having populations of not less than 14,000 nor more than 15,000, according to the most recent federal decennial census, providing an expense allowance for the superintendents of such boards, and providing daily compensation for members of such boards when such boards meet officially to transact business.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 46; Nays 0.

Yeas:

Mr. Speaker	Cross	Kinsey	Reid (R)
Adwell	Downing	Lang	Reynolds
Bank	Edwards	Lutz	Robertson
Barkett	Ellis	McCluskey	Smith (K)
Barron	Fite	McMillan	Smith (P)
Bassett	Goodwin	Manley	Stokes
Boutwell	Grainger	May	Therrell
Carnes	Grey (D)	Naramore	Turner
Carter	Hardin	Owens	Waldrop
Chesnut	Harris	Perloff	Weeks
Cottingham	Jackson	Porter	Wynot
Crawford	Jones (F)		

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MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 1693, with a suggested Executive Amendment.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

August 28, 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 1693 without my approval and with a suggested Executive Amendment.

It is suggested that in the title of the bill on the third line, following the word **"allowance"** insert the following words: **"and salary"**.

Also, at the end of Section 1 of the bill insert the following as a part of such section:

"The allowance created shall terminate on the first Tuesday in January of the year 1975. On and after the first Tuesday in January of the year 1975 the annual salary of the judge of the county court of any such counties shall be Two Thousand Dollars (\$2,000.00) less than the annual base salary of circuit judges in this state, as set by statute, and shall be payable out of the general fund of the county in equal monthly installments."

Also, strike out in its entirety Section 2 of the bill and insert in lieu thereof the following:

"Section 2. All laws or parts of laws, general, local, or special, which conflict with this Act are repealed."

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor of Alabama.

August 28, 1973

GOVERNOR'S MESSAGE

On motion of Mr. Slate, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1693, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker
Adwell
Barkett
Barron
Bassett
Benton
Boles
Boutwell
Carnes
Carter
Cauthen
Chesnut

Cottingham
Crawford
Cross
Culver
Downing
Drake
Ellis
Falkenburg
Fite
Goodwin
Grainger
Grey (D)

Hale
Hardin
Harris
Hughes
Jackson
Jones (F)
King
Kinsey
Lang
Lutz
McCluskey
McCorquodale

McDonald
McMillan
McNair
Manley
Mathews
May
Merrill
Owens
Porter
Reynolds
St. John
Slate

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Smith (K)	Stokes	Waldrop	Weeks
Smith (P)	Therrell	Wallace	Wynot
Snell	Turner		

—58

Which was a majority of the whole number elected to the House.

And the bill:

H. 1693. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of expense allowance for the judges of the county courts of such counties.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Downing	King	Porter
Bank	Drake	Kinsey	Reynolds
Barron	Edwards	Lang	St. John
Bassett	Ellis	Lutz	Slate
Benton	Falkenburg	McCluskey	Smith (K)
Boles	Fite	McCorquodale	Smith (P)
Boutwell	Goodwin	McDonald	Snell
Carnes	Grainger	McMillan	Stokes
Carter	Gray (F)	McNair	Therrell
Cauthen	Hale	Manley	Turner
Chesnut	Hardin	May	Waldrop
Cottingham	Harris	Merrill	Wallace
Crawford	Hughes	Owens	Weeks
Cross	Jackson	Perloff	Wynot
Culver	Jones (F)		

—58

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor returning House Bill Number 1622 without his approval.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 28TH DAY OF AUGUST, 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill Num-

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ber 1622, without my approval. This Bill is identical with Senate Bill Number 667, which has already been signed into law by me.

Respectfully,

GEORGE C. WALLACE,
Governor of Alabama.

GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. 1622. To amend the Title and Sections 2 and 4 of Act No. 979 adopted at the 1969 Regular Session of the Legislature of Alabama, pertaining to off-street automobile parking facilities in cities having a population of not less than 150,000 nor more than 180,000 according to the last or any succeeding federal census, which sections relate to the powers of such cities pertaining to such facilities and revenue bonds issued to finance the same, so as to clarify and grant powers regarding the issuance and sale of such bonds, the details pertaining thereto, and the sale of such facilities, and to ratify previous action.

Mr. Barron moved passage of the bill, H. 1622, the Governor's veto to the contrary notwithstanding.

And the bill, H. 1622, was again read at length, and the House refused to pass said bill over the veto of the Governor.

Yeas 0; Nays 51.

Nays:

Mr. Speaker	Cross	Hughes	Porter
Adwell	Culver	Jackson	Pruitt
Barkett	Downing	Jones (F)	Reynolds
Barron	Ellis	Kinsey	Smith (K)
Bassett	Falkenburg	Lutz	Smith (P)
Benton	Fite	McMillan	Stewart
Boles	Goodwin	Manley	Stokes
Carnes	Grainger	May	Therrell
Carter	Gray (F)	Merrill	Turner
Chesnut	Grey (D)	Naramore	Waldrop
Connell	Hale	Nettles	Wallace
Cottingham	Hardin	Owens	Wynot
Crawford	Harris	Perloff	

—51

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning

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House Bill Number 1624, without the Governor's approval.

Respectfully submitted,
HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 28TH DAY OF AUGUST, 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 1624, without my signature and approval.

Respectfully,
GEORGE C. WALLACE,
Governor of Alabama.

GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. 1624. Relating to all counties having populations of not less than 300,000 nor more than 600,000, further regulating the sale and consumption of alcoholic or malt or brewed beverages during certain hours in certain places licensed by the Alabama Alcoholic Beverage Control Board.

Mr. Stokes moved passage of the bill, H. 1624, the Governor's veto to the contrary notwithstanding.

And the bill, H. 1624, was again read at length and passed, the Governor's veto to the contrary notwithstanding.

Yeas 54; Nays 13.

Yeas:

Messrs.:	Cottingham	Hearn	Naramore
Adwell	Cross	Hill	Nettles
Bank	Crowe	Hobbie	Parker
Barkett	Culver	Hughes	Perloff
Bassett	Downing	Jones (F)	Roberts
Benton	Erdreich	King	Stokes
Boles	Falkenburg	Lang	Stubbs
Boutwell	Gafford	Lutz	Taylor
Callahan	Grainger	McCluskey	Timmons
Carnes	Gray (F)	McMillan	Waldrop
Carter	Grey (D)	McNair	Weeks
Cauthen	Hale	Manley	Williams
Collins	Hardin	May	Wood
Coshatt	Harris	Meeks	—54

Nays:

Mr. Speaker	Drake	McDonald	Slate
Burgess	Edwards	Reynolds	Turner
Connell	Fite	St. John	Turnham
Crawford			—13

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor returning House Bill Number 1633 without his approval.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 28TH DAY OF AUGUST, 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 1633, without my approval. This Bill is identical with House Bill Number 1640, which has already been signed into law by me.

Respectfully,

GEORGE C. WALLACE,
Governor of Alabama.

GOVERNOR'S MESSAGE

The House proceeded to reconsider the bill:

H. 1633. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, creating the office of Assistant District Attorney for the Fourteenth Judicial Circuit; and prescribing the manner of appointment, the compensation and the duties of said office.

Mr. Crowe moved passage of the bill, H. 1633, Governor's veto to the contrary notwithstanding.

And the bill, H. 1633, was again read at length, and the House refused to pass said bill over the veto of the Governor.

Yeas 1; Nays 61.

Yea: Mr. Meeks.

—1

Nays:

Mr. Speaker
Adwell
Bank
Barkett
Barron

Bassett
Benton
Boles
Callahan
Carnes

Carter
Casey
Cauthen
Chesnut
Collins

Connell
Cottingham
Crawford
Cross
Culver

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Downing	King	Pruitt	Therrell
Erdreich	Kinsey	Reid (R)	Timmons
Falkenburg	Lutz	St. John	Turner
Fite	McMillan	Slate	Waldrop
Goodwin	Mathews	Smith (K)	Wallace
Grainger	Merrill	Smith (P)	Warren
Grey (D)	Mims	Snell	Weeks
Hale	Naramore	Stewart	Williams
Hardin	O'Daniel	Stokes	Wood
Harris	Porter	Taylor	Wynot
Jones (F)			

—61

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 120. To amend Section 367 of Title 52 of the Code of Alabama of 1940 as amended, to provide for the addition of one member of the Alabama Retired Teachers Association to the Board of Control of the Teachers' Retirement System and to provide other personnel as deemed necessary by the Board of Control.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On the motion of Mrs. Wynot, the House concurred in and adopted the Senate amendment to the bill, H. 120, said Senate amendment being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 367 of Title 52 of the Code of Alabama of 1940 as amended to provide for addition of 3 additional members of the Teachers' Retirement System to the Board of Control of the Teachers' Retirement System and one member of the Alabama Retired Teachers' Association to the Board of Control of the Teachers' Retirement System and to provide other personnel as deemed necessary by the Board of Control.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 367 of Title 52 of the Code of Alabama 1940 as amended, by and is hereby amended to read as follows:

Section 367. ADMINISTRATION.

(1) The general administration and responsibility for the proper operation of the retirement system and for making effective the provisions of this chapter are hereby vested in a board of trustees which shall be known as the Board of Control and shall be organized immediately after a majority of the trustees provided for in this section shall have qualified and taken the oath of office.

(2) The Board shall consist of eleven trustees as follows:

(a) The State Superintendent of Education, ex-officio.

(b) The State Treasurer, ex-officio.

(c) The State Director of Finance, ex-officio.

(d) The Executive Secretary of the Alabama Education Association, ex-officio.

(e) Seven members of the Retirement System, one of whom shall be a retired member of the Retirement System. Of the seven members of the Retirement System, one shall be a City or County superintendent, one shall be a principal, one shall be a member from post-secondary education and three shall be teachers, all of whom shall be elected by the members of the Retirement System as follows:

Teacher Place #1 for term of 3 years beginning July 1, 1974.

Teacher Place #2 for term of 3 years beginning July 1, 1974.

Teacher Place #3 for term of 2 years beginning July 1, 1974 and thereafter each teacher according to place number shall be elected for 3 year terms, according to such rules and regulations as the Board of Control shall adopt to govern such elections. City or County superintendent and principal shall be elected for three year terms and such terms and method of election are not changed by this Act. The member from post Secondary Education shall be elected by members of the Retirement System for three year term beginning July 1, 1974 and thereafter shall be elected for three year term in accordance with rules and regulations as the Board of Control may adopt. The retired member shall be elected by the members of the Alabama retired Teachers' Association and shall be done at the annual convention of the Alabama Education Association. The Alabama Retired Teachers' Association shall be responsible for the election of the member and certify to the Board of Control the results of such election. The first election of the retired member shall be held at the 1974 annual convention of the Alabama Education Association and after certification to the Board of Control shall serve for a term of three years as all other elected members of the Board of Control serve. The terms of this office shall begin after they have qualified and taken the oath of office.

The Board of Control of the Teachers' Retirement System together with the officers of the Alabama Education Association shall provide for the election of the six members to be elected by the members of the Retirement System at the annual convention of the Alabama Education Association.

(3) If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled.

(4) The trustees shall serve without compensation for their services as trustees but they shall be reimbursed from the expense fund for all necessary expenses that they may incur through service on the Board of Control.

(5) Each trustee shall, within ten days after his appointment or election, take an oath of office that, so far as it devolves upon him, he will diligently and honestly administer the affairs of the Board of Control and that he will

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not knowingly violate or willingly permit to be violated any of the provisions of law applicable to the retirement system. Such oath shall be subscribed to by the member making it, certified by the officer before whom it is taken, and immediately filed in the office of the Secretary of State.

(6) Each trustee shall be entitled to one vote in the Board of Control. Six votes shall be necessary for a decision by the trustees at any meeting of said Board. In case of a tied vote the decision shall fail.

(7) Subject to the limitations of this chapter the Board of Control shall from time to time establish rules and regulations for the administration of the funds created by this chapter and for the transaction of its business.

(8) The Board of Control shall elect from its membership A Chairman and by a majority vote of all the members shall elect a Secretary-Treasurer who shall serve as Chief Executive officer of the Retirement System. In addition thereto the Board of Control may engage such actuarial and administrative officers and other special services as shall be deemed necessary to transact the business of the Retirement System. The compensation and expenses of these actuarial and administrative officers and other special services shall be paid at such rates and in such amounts as the Board of Control shall approve. All other employees not in these categories of employment shall be employed under the provisions of the Merit System Act.

(9) The Board of Control shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds of the retirement system, and for checking the experience of the system.

(10) The Board of Control shall keep a record of all of its proceedings which shall be open to public inspection. It shall publish annually a report showing the fiscal transactions of the retirement system for the preceding school year, the amount of the accumulated cash and securities of the system and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system.

(11) The Attorney General of the state shall be the legal adviser of the Board of Control.

(11½) The Board of Control shall designate a Medical Board to be composed of three physicians not eligible to participate in the retirement system. If required, other physicians may be employed to report on special cases. The Medical Board shall arrange for and pass upon all medical examinations required under this chapter, and shall investigate all essential statements and certificates by or on behalf of a member in connection with an application for disability retirement, and shall report in writing to the Board of Control its conclusions and recommendations upon all matters referred to it.

(12) The Board of Control shall designate an actuary who shall be the technical adviser of the Board of Control on matters regarding the operation of the funds created by the provisions of this chapter, and shall perform such other duties as are required in connection therewith.

(13) Immediately after the establishment of the retirement system the actuary shall make such investigation of the mortality, service, and compensation experience of the members of the system as he shall recommend and the Board of Control shall authorize, and on the basis of such investigation he

shall recommend for adoption by the Board of Control such tables and such rates as are required in Sub-section (14), paragraphs (a) and (b), of this section. The Board of Control shall adopt tables and certify rates, and as soon as practicable thereafter the actuary shall make a valuation based on such tables and rates, of the assets and liabilities of the funds created by this chapter.

(14) In the year 1943, and at least once in each five-year period thereafter, the actuary shall make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the retirement system, and shall make a valuation of the assets and liabilities of the funds of the system and taking into account the results of such investigation and valuation, the Board of Control shall:

(a) Adopt for the retirement system such mortality, service and other tables as shall be deemed necessary;

(b) Certify the rates of contribution payable by the state under the provisions of this chapter.

(15) On the basis of such tables as the Board of Control shall adopt, the actuary shall make an annual valuation of the assets and liabilities of the funds of the system created by this chapter.

Section 2. All laws or parts of law which conflict with the provisions of this Act shall have no effect on the provisions of this Act.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the amendment was adopted.

Yeas 60; Nays 1.

Yeas:

Mr. Speaker	Downing	McBride	Reid (R)
Adwell	Edwards	McCorquodale	Roberts
Barron	Erdreich	McDonald	Slate
Bassett	Falkenburg	McMillan	Smith (K)
Benton	Fite	Manley	Smith (P)
Boutwell	Goodwin	Mathews	Snell
Carnes	Grainger	May	Stewart
Carter	Grey (D)	Meeks	Therrell
Casey	Hale	Merrill	Timmons
Chesnut	Hardin	Mims	Turner
Collins	Harris	Naramore	Waldrop
Coshatt	Jones (F)	O'Daniel	Wallace
Cottingham	King	Perloff	Warren
Cross	Kinsey	Porter	Weeks
Culver	Lutz	Pruitt	Wynot

—60

Nay: Mr. Burgess.

—1

And the bill:

H. 120. To amend Section 367 of Title 52 of the Code of Alabama of 1940 as amended to provide for addition of 3 additional members of the Teachers' Retirement System to the Board of Control of the Teachers' Retirement System and one member of the Alabama Retired Teachers' Association

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to the Board of Control of the Teachers' Retirement System and to provide other personnel as deemed necessary by the Board of Control.

As thus amended, was again read at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Culver	Lutz	Reid (R)
Adwell	Downing	McBride	Roberts
Bank	Edwards	McCorquodale	Smith (K)
Barkett	Ellis	McMillan	Smith (P)
Barron	Erdreich	McNair	Snell
Bassett	Falkenburg	Manley	Stewart
Benton	Fite	Mathews	Stokes
Boles	Goodwin	May	Therrell
Boutwell	Grainger	Meeks	Timmons
Carnes	Grey (D)	Merrill	Turner
Carter	Hale	Mims	Waldrop
Casey	Hardin	Naramore	Wallace
Chesnut	Harris	O'Daniel	Warren
Collins	Jones (F)	Perloff	Weeks
Coshatt	King	Porter	Williams
Cottingham	Kinsey	Pruitt	Wynot
Cross			

—65

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 2. To amend Section 366 of the Title 52 of the Code of Alabama as amended which relates to the Teachers' Retirement System of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Stubbs, the House concurred in and adopted the Senate amendment to the bill, H. 2, said Senate amendment being as follows:

In Section 1 of the bill at the end of paragraph (c) of Section 366, Title 52, Code of Alabama, as amended, insert as a part of such section the following additional paragraph:

(d) Any person who is presently covered or is eligible to be covered under the Employees' Retirement System of Alabama or the Teachers' Retirement System of Alabama and who, prior to such coverage or eligibility for coverage, served as head of any Alabama county's public library service department, shall have credited to him or her one year of creditable service for each year served as such had not to exceed twelve years; provided such person shall pay into the Retirement System the employee's part of the cost or contribution based on the salary paid to such person during the time of his or her service in the above capacity, with such cost or contribution to be calculated at the percent or rate in effect at the time of the passage of his Act.

On page 4, line 11, of said bill, strike the figure "\$110.88" and insert in lieu thereof "\$132.00".

On page 4, line 12, of said bill, strike the figure "\$83.16" and insert in lieu thereof "99.00".

Also:

On page 4, line 24, of said bill, strike the figure "\$3326.00" and insert in lieu thereof "\$3960.00".

On page 2 of said bill, line 32, strike the figure "75.60" and insert in lieu thereof "90.00".

On page 4 of said bill, line 37, strike the figure "\$1,300,000.00" and insert in lieu thereof "\$2,639,000.00" and on line 38 of said bill strike the figure "\$1,100,000.00" and insert in lieu thereof "\$2,439,000.00"

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	Pruitt
Adwell	Doss	King	Reid (R)
Bank	Downing	Lutz	Reynolds
Barron	Drake	McBride	Roberts
Bassett	Edwards	McCorquodale	Slate
Boles	Ellis	McDonald	Smith (K)
Boutwell	Erdreich	McMillan	Smith (P)
Burgess	Falkenburg	McNair	Snell
Callahan	Fite	Manley	Stewart
Carnes	Goodwin	May	Taylor
Carter	Grainger	Meeks	Therrell
Casey	Grey (D)	Merrill	Turner
Cauthen	Hale	Mims	Waldrop
Chesnut	Hardin	Naramore	Wallace
Connell	Harris	Nettles	Warren
Coshatt	Hearn	O'Daniel	Weeks
Cottingham	Hobbie	Perloff	Williams
Crawford	Hughes	Porter	Wynot
Cross	Jackson		

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And the bill, H. 2 as thus amended, was again read at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Goodwin	McNair
Adwell	Chesnut	Grainger	Manley
Bank	Coshatt	Grey (D)	Mathews
Barkett	Cottingham	Hale	May
Barron	Crawford	Hardin	Meeks
Bassett	Cross	Harris	Merrill
Benton	Culver	Hughes	Mims
Boles	Downing	Jackson	Naramore
Boutwell	Drake	Jones (F)	Nettles
Burgess	Edwards	King	O'Daniel
Callahan	Ellis	Lutz	Perloff
Carnes	Erdreich	McBride	Porter
Carter	Falkenburg	McCorquodale	Pruitt
Casey	Fite	McMillan	Reid (R)

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Reynolds	Smith (P)	Timmons	Warren
Roberts	Snell	Turner	Weeks
Slate	Stewart	Waldrop	Wynot
Smith (K)	Therrell	Wallace	

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UNANIMOUS CONSENT GRANTED

At the request of Mr. Cottingham, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 2.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Hill to suspend the rules in order to bring up out of order the third reading of the bill, H. 1007, was lost.

Yeas 37; Nays 11.

Yeas:

Mr. Speaker	Cross	Harris	Meeks
Adwell	Culver	Hearn	Slate
Bank	Doss	Hughes	Taylor
Barron	Downing	King	Timmons
Boles	Ellis	Lutz	Turner
Boutwell	Goodwin	McDonald	Waggoner
Carnes	Grainger	McMillan	Waldrop
Carter	Grey (D)	McNair	Weeks
Cauthen	Hale	May	Wynot
Cottingham			

—37

Nays:

Messrs.:	Burgess	Naramore	Smith (K)
Barkett	Collins	Nettles	Smith (P)
Benton	Merrill	Perloff	Therrell

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Fite, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1865.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Carnes	Edwards	Harris
Adwell	Casey	Ellis	Hearn
Bank	Cauthen	Erdreich	Hughes
Barkett	Chesnut	Falkenburg	Jackson
Barron	Cottingham	Flippo	Jones (F)
Bassett	Crawford	Goodwin	King
Benton	Crowe	Grainger	Kinsey
Boles	Culver	Grey (D)	Lutz
Boutwell	Downing	Hale	McCluskey
Callahan	Drake	Hardin	McDonald

McMillan	Naramore	Smith (K)	Waggoner
McNair	Nettles	Smith (P)	Waldrop
Mathews	Perloff	Snell	Wallace
May	Pruitt	Taylor	Warren
Meeks	Reid (R)	Therrell	Weeks
Merrill	Roberts	Timmons	Wood
Mims	Slate	Turner	Wynot

—68

And the bill:

H. 1865. To make a conditional appropriation for the establishment and operation of a Southern Products Merchandising Mart.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cross	Kinsey	Reid (R)
Adwell	Crowe	Lang	Roberts
Bank	Culver	Lutz	Slate
Barkett	Downing	McBride	Smith (K)
Barron	Drake	McCluskey	Smith (P)
Bassett	Edwards	McDonald	Snell
Benton	Ellis	McMillan	Stokes
Boles	Erdreich	McNair	Taylor
Boutwell	Falkenburg	Mathews	Therrell
Callahan	Goodwin	May	Timmons
Carnes	Grainger	Meeks	Turner
Carter	Grey (D)	Merrill	Waggoner
Casey	Hale	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Harris	O'Daniel	Warren
Connell	Hearn	Perloff	Weeks
Coshatt	Hughes	Porter	Wood
Cottingham	Jones (F)	Pruitt	Wynot
Crawford	King		

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RULE SUSPENDED

On motion of Mr. Fite, Rule 4(4) was suspended to permit the bill, H. 1865, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1865, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Grainger, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 2163.

Yeas 52; Nays 4.

Yeas:

Mr. Speaker	Carter	Drake	Flippo
Bassett	Chesnut	Edwards	Goodwin
Benton	Cottingham	Ellis	Grainger
Boutwell	Cross	Erdreich	Grey (D)
Carnes	Downing	Fite	Hale

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Hardin	McBride	Naramore	Therrell
Harris	McCluskey	Pruitt	Timmons
Hearn	McDonald	Reid (R)	Turner
Hughes	McMillan	Roberts	Waggoner
Jones (F)	McNair	St. John	Wallace
King	May	Slate	Weeks
Kinsey	Meeks	Smith (P)	Wood
Lutz	Merrill	Taylor	Wynot

—52

Nays:

Messrs.:	Crawford	Lang	Smith (K)
Barkett			

—4

And the bill:

H. 2163. Appropriating \$125,000 per year for the next two years for the Institute for Occupational Health and Safety at Huntsville for operation and maintenance of such institution.

Was read a third time at length and passed.

Yeas 57; Nays 2.

Yeas:

Mr. Speaker	Drake	Kinsey	Reynolds
Barron	Erdreich	Lutz	Roberts
Bassett	Falkenburg	McBride	St. John
Benton	Fite	McDonald	Slate
Boles	Goodwin	McMillan	Smith (K)
Boutwell	Grainger	Manley	Smith (P)
Carnes	Grey (D)	May	Snell
Carter	Hale	Meeks	Taylor
Casey	Hardin	Merrill	Therrell
Chesnut	Harris	Naramore	Waldrop
Cottingham	Hearn	Nettles	Wallace
Cross	Hughes	O'Daniel	Weeks
Crowe	Jones (F)	Perloff	Wood
Culver	King	Pruitt	Wynot
Downing			

—57

Nays: Messrs. Barkett and Crawford. —2

RULE SUSPENDED

On motion of Mr. Grainger, Rule 4(4) was suspended to permit the bill, H. 2163, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 2163, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Stubbs, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1480.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Downing	King	Slate
Adwell	Drake	Kinsey	Smith (K)
Barron	Edwards	Lutz	Smith (P)
Bassett	Ellis	McBride	Snell
Benton	Erdreich	McMillan	Taylor
Boles	Falkenburg	Manley	Therrell
Boutwell	Fite	Mathews	Timmons
Callahan	Goodwin	May	Turner
Carnes	Grainger	Merrill	Waggoner
Carter	Grey (D)	Naramore	Waldrop
Casey	Hale	Perloff	Wallace
Chesnut	Hardin	Porter	Weeks
Crawford	Harris	Reid (R)	Wood
Cross	Hearn	Reynolds	Wynot
Crowe	Hughes		

—58

And the bill:

H. 1480. To authorize cooperation among and between counties, municipalities, other governmental subdivisions and agencies, public corporations, the state, and the federal government on a basis of mutual advantage in order better to provide services and facilities to fill the needs of the inhabitants thereof and promote the full development of areas.

Was read a third time at length and passed.

Yeas 64; Nays 1.

Yeas:

Mr. Speaker	Crowe	Jackson	Reid (R)
Adwell	Downing	Jones (F)	Reynolds
Bank	Drake	King	Roberts
Barron	Edwards	Kinsey	Slate
Bassett	Ellis	Lutz	Smith (K)
Benton	Erdreich	McBride	Smith (P)
Boutwell	Falkenburg	McCluskey	Snell
Callahan	Fite	McMillan	Stewart
Carnes	Goodwin	Manley	Taylor
Carter	Grainger	May	Therrell
Casey	Grey (D)	Merrill	Timmons
Chesnut	Hale	Naramore	Turner
Connell	Hardin	O'Daniel	Waldrop
Cottingham	Harris	Owens	Wallace
Crawford	Hearn	Perloff	Warren
Cross	Hughes	Porter	Wynot

—64

Nay: Mr. Wise.

—1

UNANIMOUS CONSENT GRANTED

At the request of Mr. Callahan, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 1480.

RULE SUSPENDED

On motion of Mr. Stubbs, Rule 4(4) was suspended to permit the bill, H. 1480, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

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And the bill, H. 1480, was ordered went forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Gafford, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 946.

Yeas 41; Nays 3.

Yeas:

Mr. Speaker	Edwards	Lutz	Slate
Bank	Ellis	McBride	Stewart
Barkett	Fite	McDonald	Stokes
Bassett	Goodwin	Manley	Therrell
Benton	Grainger	May	Timmons
Boutwell	Grey (D)	Merrill	Turner
Carnes	Hale	Perloff	Waggoner
Chesnut	Hughes	Porter	Waldrop
Cottingham	King	Pruitt	Wise
Cross	Kinsey	Reid (R)	Wynot
Downing			—41

Nays: Messrs. Barron, McMillan and Taylor. —3

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 946. To amend further Section 2, Act No. 100, Second Special Session 1959, the State Sales Tax Act, so as to provide that where any used part of an automotive vehicle or a truck trailer, semitrailer or a house trailer is taken in trade as a credit or part payment on the sale of a new or rebuilt part, the sales tax shall be paid on the net difference, and to provide that this provision shall not be construed to include tires and batteries.

Was read a third time at length and passed.

Yeas 40; Nays 5.

Yeas:

Messrs.:	Downing	Lutz	Pruitt
Barkett	Edwards	McBride	Stewart
Bassett	Ellis	McMillan	Stokes
Benton	Grainger	Manley	Therrell
Boles	Grey (D)	May	Timmons
Boutwell	Hale	Merrill	Turner
Carnes	Hardin	Naramore	Waldrop
Carter	Hughes	Owens	Wallace
Chesnut	King	Perloff	Wise
Cottingham	Kinsey	Porter	Wynot
Cross			—40

Nays:

Mr. Speaker	Crawford	Slate	Taylor
Barron			—5

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Mr. Gafford, Rule 4(4) was suspended to permit the bill, H. 946, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 946, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Collins, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 916.

Yeas 43; Nays 5.

Yeas:

Mr. Speaker	Cottingham	King	Stewart
Barkett	Downing	Kinsey	Stokes
Bassett	Edwards	Lutz	Taylor
Benton	Ellis	McBride	Therrell
Boles	Fite	McDonald	Timmons
Boutwell	Grainger	McMillan	Turner
Callahan	Grey (D)	May	Waggoner
Carnes	Hale	Merrill	Waldrop
Chesnut	Harris	Naramore	Wise
Collins	Hughes	Owens	Wynot
Connell	Jones (F)	Perloff	

—43

Nays:

Messrs.:	Flippo	Smith (K)	Snell
Crawford	Hill		

—5

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 916. To amend Title 51, Section 616, Code of Alabama 1940, providing for payment of a license fee by warehousemen, so as to eliminate the provision that a warehouseman-distributing agent pay an additional license fee.

Was read a third time at length and passed.

Yeas 55; Nays 1.

Yeas:

Mr. Speaker	Bassett	Boutwell	Chesnut
Bank	Benton	Carnes	Collins
Barron	Boles	Carter	Connell

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Cottingham	Hale	McMillan	Stewart
Cross	Hardin	Manley	Stokes
Downing	Harris	May	Taylor
Edwards	Hill	Merrill	Therrell
Ellis	Hughes	Naramore	Timmons
Falkenburg	Jones (F)	Owens	Turner
Fite	King	Perloff	Waggoner
Flippo	Kinsey	Porter	Waldrop
Gafford	Lutz	Reid (R)	Wallace
Grainger	McBride	St. John	Wynot
Grey (D)	McDonald	Smith (P)	
—55			
Nay: Mr. Slate.			
—1			

RULE SUSPENDED

On motion of Mr. Collins, Rule 4(4) was suspended to permit the bill, H. 916, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 916, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. St. John, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 903.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker	Downing	Lutz	Stewart
Barkett	Drake	McBride	Stokes
Barron	Edwards	McMillan	Taylor
Bassett	Falkenburg	May	Therrell
Benton	Fite	Merrill	Timmons
Boutwell	Gafford	Naramore	Turner
Carnes	Grainger	Perloff	Waldrop
Chesnut	Grey (D)	Porter	Wallace
Collins	Hughes	Reid (R)	Wise
Cottingham	King	Slate	Wynot
Crawford	Kinsey	Smith (P)	
—43			

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 903. (With Amendment): To regulate further the recording and indexing of instruments relative to land titles in counties having populations not in excess of 300,000 according to the last or any subsequent decennial federal census; to provide for a system of self-indexing of all land transfer instruments recorded in probate offices; and to prescribe fees.

Was taken up.

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The question was then on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend House Bill 903 in Section 2 on line 20 by striking the word "deputies" and inserting in lieu thereof the word "clerks".

Further amend Section 2 on line 30 by striking the word "deputy" and inserting in lieu thereof the word "clerk".

Further amend Section 2 on line 32 by striking the word "deputy" and inserting in lieu thereof the word "clerk".

Further amend Section 2 in the second line of the sixth paragraph by striking the word "probate" and inserting in lieu thereof the word "administer".

And the amendment was adopted.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker	Drake	Kinsey	Smith (P)
Barkett	Edwards	Lutz	Stewart
Barron	Fite	McBride	Stokes
Bassett	Gafford	McCluskey	Taylor
Benton	Goodwin	McMillan	Therrell
Boutwell	Grainger	May	Timmons
Carnes	Grey (D)	Merrill	Turner
Carter	Hale	Naramore	Waldrop
Connell	Hardin	Owens	Wallace
Cottingham	Harris	Perloff	Weeks
Crawford	Hughes	Porter	Wise
Cross	Jones (F)	Slate	Wynot
Downing	Kinsey		

—50

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 903 as thus amended, was read a third time at length and passed.

Yeas 49; Nays 0.

Yeas:

Mr. Speaker	Edwards	Lutz	Slate
Barron	Fite	McBride	Smith (P)
Bassett	Gafford	McCluskey	Stewart
Benton	Grainger	McMillan	Taylor
Boutwell	Grey (D)	Manley	Therrell
Carnes	Hale	May	Timmons
Carter	Hardin	Merrill	Waggoner
Casey	Harris	Naramore	Waldrop
Chesnut	Hughes	Owens	Wallace
Connell	Jones (F)	Perloff	Weeks
Cross	King	Porter	Wise
Downing	Kinsey	St. John	Wynot
Drake			

—49

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Mr. St. John, Rule 4(4) was suspended to permit the bill, H. 903, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 903, was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1114. To amend Section 2, Act No. 312, Acts of Alabama 1959, Vol. 2, p. 889 at 890, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Also:

H. 516. To increase certain fees prescribed for the Secretary of State to be charged for services performed in connection with service of process in certain cases, and for such purpose to amend further Code of Alabama 1940, Title 7, Sections 192, 193 and 199, as amended; Act No. 415, S. 280, Regular Session 1959 (Acts 1959, p. 1102), amended; Act No. 128, S. 120, Regular Session 1949 (Acts 1949, p. 154), as amended; and Act No. 1936, H. 256, Regular Session 1971 (Acts 1971, p. 1325), all relating to such fees.

Also:

H. 517. Relating to the uniform commercial code, amending Sections 9-403 through 9-407, inclusive, of Act No. 549, S. 2, Regular Session 1965 (Acts 1965, p. 811), respecting the filing of secured transactions, so as to increase the fees to be paid the filing officer for the performance of certain duties.

Also:

H. 518. To amend further Sections 13 and 21 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055), known as the Alabama Business Corporation Act, as heretofore amended, so as to increase the fees for filing certain statements of incorporation and amendments thereto.

Also:

H. 1059. To regulate annual leave and sick leave of state merit system employees, to provide for partial payment of accrued and unused sick leave at the time of retirement of such employees.

Also:

H. 1060. To further amend Section 9 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564), as amended, which provides for payment

of insurance costs by the state for employees of the state, so as to delete the maximum amount which may be expended for an individual employee's insurance.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning House Bill No. 1509, without the Governor's approval, and with a suggested Executive Amendment.

Respectfully Submitted,

HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 28 DAY OF AUGUST, 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 1509 without my approval and with a suggested Executive Amendment.

This Bill in essence provides for the handling and sale of table wines in Mobile County by retail wine licensees. I realize that this Bill received a majority vote by the elected House and Senate members from Mobile County and without any reflection on their judgment or ability to represent Mobile County, I am of the opinion that this Bill represents such a departure from the long standing exclusive control over the retail sale of wine by the Alabama Alcoholic Beverage Control Board that it should be submitted to the people of Mobile County for their consideration at the polls.

With the foregoing in mind, it is suggested that the title of said Bill be amended so as to add after the last word in said title the following:

"and to provide for a referendum of the voters of the County on the question of whether the Act will become effective in the County."

It is further suggested that Section 16 be deleted and the following substituted therefor:

"Section 16. The county commission shall call and provide for holding a referendum for the purpose of determining if this Act shall become operative. The referendum shall be held on the same day as the next general, special, or primary election held in the county, and shall be advertised, held, conducted and the results thereof canvassed in the manner provided by law for advertising, holding, and canvassing county elections.

"The question to be voted on shall be stated on the ballots or voting machine tabs substantially as follows: 'Do you favor allowing the retail sale of table wines as provided in Act No. _____ approved _____, 1973?' If the majority of the votes cast in the referendum are 'yes', the sale of table wines, as provided for in this Act, shall be legal in the county and this Act shall become operative therein; if the majority of the votes cast in the election are 'no', this Act shall have no further effect. The Probate Judge of the county shall certify the results to the Secretary of State of Alabama in thirty (30) days after the election returns are canvassed."

It is further suggested that the Bill be amended by adding the following:

"Section 17. This Act shall become effective upon its passage and approval by the Governor or by its otherwise becoming a law."

Respectfully,

GEORGE C. WALLACE,
Governor of Alabama.

GOVERNOR'S AMENDMENT TABLED

On motion of Mr. Downing, the amendment proposed by His Excellency, the Governor, to the bill, H. 1509, said amendment being set out in the above and foregoing Message from the Governor, was tabled.

Yeas 48; Nays 16.

Yeas:

Messrs.:	Downing	Jones (F)	Reed (T)
Adwell	Erdreich	King	Roberts
Bank	Falkenburg	Lutz	Smith (K)
Barkett	Flippo	McBride	Snell
Bassett	Grainger	McCluskey	Stewart
Benton	Gray (F)	McMillan	Stokes
Boutwell	Grey (D)	McNair	Stubbs
Brassell	Hale	May	Taylor
Callahan	Hardin	Nettles	Waggoner
Carnes	Harris	Parker	Waldrop
Casey	Hearn	Porter	Wood
Collins	Hill	Pruitt	Wynot
Culver			

—48

Nays:

Mr. Speaker	Chesnut	Cross	Perloff
Barron	Connell	Drake	Reid (R)
Burgess	Cottingham	McDonald	Reynolds
Carter	Crawford	Merrill	Turner

—16

And the bill, H. 1509, was again read at length and passed, the Governor's objection to the contrary notwithstanding, by a majority of the whole number elected to the House.

Yeas 57; Nays 17.

Yeas:

Messrs.:	Barkett	Boles	Brassell
Adwell	Bassett	Boutwell	Callahan
Bank	Benton	Bowers	Carnes

Cauthen	Hardin	Manley	Stewart
Collins	Harris	May	Stokes
Coshatt	Hearn	Nettles	Stubbs
Culver	Hill	Parker	Taylor
Downing	Jones (F)	Porter	Timmons
Ellis	King	Pruitt	Waggoner
Erdreich	Lang	Reed (T)	Waldrop
Falkenburg	Lutz	Roberts	Weeks
Flippo	McBride	Smith (K)	Williams
Grainger	McCluskey	Smith (P)	Wood
Gray (F)	McMillan	Snell	Wynot
Hale	McNair		

—57

Nays:

Mr. Speaker	Connell	Drake	Reid (R)
Adams	Cottingham	Headley	Reynolds
Burgess	Crawford	Owens	St. John
Carter	Cross	Perloff	Turner
Chesnut			

—17

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 1852. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Bailes, Gilmore and Hawkins.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 1207. To amend Section 4.06 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, Approved September 9, 1955 (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the late or any subsequent Federal Census.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Bailes, Gilmore and Hawkins.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 1592. To amend Act No. 222, H. 189, Third Special Session 1971 (Acts 1971, p. 4490), which act provides additional compensation for members of the Board of Registrars in certain counties based on population, so as to provide further for the compensation of members of such boards.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Bailes, Gilmore and Hawkins.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Hale, Hearn, King, Lutz and Grainger:

H. J. R. 243. WHEREAS The Local Government Study Commission of Madison County was created by legislative act in September 1971 to study local government and to make recommendations for changes and improvements thereto; and

WHEREAS the Commission first met on December 1, 1971 and has conducted 130 consecutive meetings spanning a period of 22 months; and

WHEREAS the nine appointed commissioners have given generously and unselfishly of their time and energy as exemplified by the more than 1600 hours given by the Commission Chairman alone; and

WHEREAS 425 community volunteers contributed tens of thousands of manhours to the study effort constituting the greatest single civic endeavor of this nature in the history of the State of Alabama; and

WHEREAS volumes of data were generated providing comprehensive evaluations of all phases of City and County government;

WHEREAS the Commission's efforts have culminated in the passage of legislation calling for a Charter Commission referendum; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, Do hereby commend the Madison County Local Government Study Commission for its merathon effort during its two years existence and expresses its appreciation to the Commission for the sacrifices made by each of its members and;

BE IT FURTHER RESOLVED that copies of this resolution be sent to each member of the Commission as a visible expression of that appreciation and commendation.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H.J.R. 243, on the Clerk's desk for one legislative day.

Also:

By Messrs. Weeks and Bowers:

H. J. R. 244. MOURNING THE DEATH OF WILLIAM WHITT CARDWELL.

WHEREAS, William Whitt Cardwell, 75 years of age, a distinguished leader in veterans affairs died recently; and,

WHEREAS, Mr. Cardwell served with distinction in the United States Navy during World War I from 1917 through 1923 serving in the North Atlantic Transport Service aboard the transport ship the Susquehanna; and,

WHEREAS, Mr. Cardwell was a member and served as Commander and Quartermaster of Kelly Ingram Post # 668 of the Veterans of Foreign Wars and also as a member of the General Gorgas Post # 1 of The American Legion; and,

WHEREAS, he has been extremely active at all levels in World War I Veterans Affairs serving as Commander, Birmingham Barracks # 915 of the Veterans of World War I, as Senior Vice Commander and Commander, Alabama State Veterans of World War I, as Chairman, Southern States Conference of World War I Veterans, and as Fifth Region Commander, United States Association of Veterans of World War I; and,

WHEREAS, Mr. Cardwell served as a charter member of the Alabama State Board of Veterans Affairs and continued to serve with distinction until his death; and,

WHEREAS, Mr. Cardwell was twice Past Master and a member of the Bilbro Lodge # 716 F and M; and,

WHEREAS, Mr. Cardwell was a lifetime member and Past Worthy Patron of Allison Chapter # 166, Order of the Eastern Star; and,

WHEREAS, Mr. Cardwell was an active member of the Central Baptist Church of Tarrant and served it as a Deacon and as teacher of the Ready Men's Sunday School Class for many years:

NOW THEREFORE BE IT RESOLVED, BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that it mourns the death of William Whitt Cardwell who served this state and fellow veterans with distinction and expresses its deepest sorrow to the members of his family.

BE IT FURTHER RESOLVED that copies of this resolution be sent to his wife, Grace Cameron Cardwell of Birmingham, his daughter, Lillian Cardwell Manley of Demopolis, and his son, William Whitt Cardwell, Jr. of Gadsden.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 244, on the Clerk's desk for one legislative day.

Also:

By Messrs. Manley, Pruitt and Lang:

H. J. R. 245. MOURNING THE DEATH OF JUDGE EMMETT FRANKLIN HILDRETH.

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WHEREAS, Judge Emmett Franklin Hildreth departed this life at 78 years of age on Sunday, July 29, 1973, while serving in his 31st year as Circuit Judge of the 17th Judicial Circuit; and,

WHEREAS, Judge Hildreth began his service on the Circuit Court bench on July 3, 1943, and served with distinction for the counties of Greene, Marengo, and Sumter until his death, twice serving as President of the Alabama Association of Circuit Judges during his tenure in office; and,

WHEREAS, Judge Hildreth served with distinction for three (3) terms in the Alabama State Senate during the years 1923 through 1935; and,

WHEREAS, Judge Hildreth served as a member of the Alabama Pardon and Parole Board for an extensive period until his selection as a Circuit Judge in July, 1943; and,

WHEREAS, Judge Hildreth served two terms as Mayor of his hometown of Eutaw in Greene County, Alabama; and,

WHEREAS, the Judge served as a member of the State Democratic Executive Committee of Alabama and twice represented Alabama at Democratic National Conventions; and,

WHEREAS, Judge Hildreth has for years been an active member of the First Methodist Church of Eutaw, serving as Chairman of its Board of Stewards and has been active at all levels of Methodism in Alabama;

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that it deeply mourns the death of Judge Emmett Franklin Hildreth and his life of distinguished service to his native state and to its people and expresses its deep sorrow to the members of his family.

BE IT FURTHER RESOLVED that copies of this resolution be sent to his wife, Mrs. Emory Peebles Hildreth of Eutaw, to his son Allison v. Hildreth of Montgomery, and to his son Emmett Franklin Hildreth, Jr. of Atmore.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 245, on the Clerk's desk for one legislative day.

Also:

By Messrs. Turnham and Agee:

H. J. R. 246. COMMENDING PROFESSOR GEORGE W. HARGREAVES.

WHEREAS Professor George W. Hargreaves retired on June 30, 1973 after forty-seven years of devoted and dedicated service to the Auburn University School of Pharmacy and to the profession of pharmacy at the state, regional and national level; and

WHEREAS Professor Hargreaves, after graduating in pharmaceutical chemistry and receiving his Master of Science degree from the University of Nebraska in 1926, first came to Auburn during that year when he was appointed Assistant Professor of Pharmacy and was subsequently advanced to Professor of Pharmaceutical Chemistry; and

WHEREAS Professor Hargreaves continued graduate studies in pharmaceutical chemistry at the University of Michigan and throughout his many fruitful years of service pursued his absorbing interest in continuing independent research and study, during which time he also served as toxicologist and consultant to the State Department of Toxicology from 1940 to 1962; and

WHEREAS Professor Hargreaves' keen interest in his chosen field, his unquestioned knowledge and ability and his strict insistence on meticulous accuracy of his students have made Auburn's School of Pharmacy one of the best in the nation, and its graduates sought from widely divergent areas; and

WHEREAS Professor Hargreaves holds membership in the honor societies of Phi Kappa Phi and Rho Chi and in numerous professional societies, is active in civic and church work and, upon his retirement, was named Professor Emeritus of the Auburn University School of Pharmacy; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Professor Hargreaves for his outstanding contributions to Auburn University and to this state and nation. We assure him that we are deeply grateful for his services and wish to extend to him all best wishes for many happy years of retirement which he so richly deserves.

RESOLVED FURTHER That copies of this resolution be sent to Professor Hargreaves, to the Auburn Plainsman and to the Auburn Alumni News.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 246, on the Clerk's desk for one legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Gilmore, King, Hawkins, Bailes, Vacca, Cook, Dominick:

S. J. R. 103. NAMING U.S. HIGHWAY 11 BETWEEN BIRMINGHAM AND TRUSSVILLE THE RICHARD BEARD MEMORIAL PARKWAY.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 103, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

REGULAR SESSION
33rd Day

4719

By Mr. Carr:

S. 943. Relating to counties having a population of not less than 53,000 nor more than 55,000; to provide an additional expense allowance for the probate judge.

Also:

By Mr. Owen:

S. 933. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) In lieu of any chief deputy sheriff, deputy sheriffs, jailers or matrons heretofore authorized by law, the sheriff of Baldwin County is hereby authorized to appoint not less than the following number of employees whose compensation shall be paid from any fund of the county treasury each month in the amounts listed below.

Number of Employees Authorized: 1; Rank: Chief Deputy; Compensation: Shall be the same as a Lieutenant in Alabama State Highway Patrol.

Number of Employees Authorized: 8; Rank: Deputies; Compensation: Shall be the same as a State Trooper in Alabama State Highway Patrol.

Number of Employees Authorized: 2; Rank: Sergeants; Compensation: Shall be the same as a Sergeant in Alabama State Highway Patrol.

Number of Employees Authorized: 1; Rank: Matron; Compensation: Shall be the same as a Clerk Stenographer III in the Alabama Department of Public Safety.

Number of Employees Authorized: 1; Rank: Chief Jailer; Compensation: Shall be the same as a Corporal in State Troopers in Alabama State Highway Patrol.

Number of Employees Authorized: 2; Rank: Jailers; Compensation: Shall be the same as a State Trooper in Alabama State Highway Patrol.

Number of Employees Authorized: 1; Rank: Chief Investigator; Compensation: Shall be not less than that made by an Alabama, State Highway Patrol Investigator Sergeant, and not more than Alabama State Highway Patrol Investigator Lieutenant; between said limitations, the sheriff shall fix said employees' salary.

The Chief Deputy, Deputies, Chief Investigator, and Sergeants shall begin employment under the provisions of this act in a grade not greater than grade 4 corresponding to the rank listed opposite said position.

Section 2. All above named personnel shall be required to complete such training, schooling and inservice training as are from time to time required and prescribed by the sheriff of Baldwin County, Alabama, such training, schooling and inservice training to be paid by the county governing body.

Section 3. In addition to the compensation referred to in Section 1 of this Act all uniformed personnel of the sheriff's department shall be entitled to a uniform allowance of not less than \$250.00 per year and the prescribed uniforms shall be purchased by the department.

Section 4. In addition to the employees authorized in Section 1 of this Act the sheriff is hereby authorized to appoint as many additional special deputies as he deems necessary, which special deputies shall serve without compensation from the county treasury.

Section 5. All compensation and number of personnel shall be considered to be minimum numbers of personnel and compensation thereof and the same may be increased at the discretion of the Baldwin County Commission but shall not be decreased.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part that remains.

Section 7. Any law or parts of laws which conflict with this Act are repealed.

Section 8. Upon the passage of this Act by the Alabama Legislature and adoption by the Governor, or its otherwise becoming law, it shall become effective October 1, 1973.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

J. H. Faulkner, being duly sworn, deposes and says that he is the Editor of The Baldwin Times, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of a bill to be enacted was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication July 12, 1973, Vol. 83, No. 29.

Date of 2nd publication July 19, 1973, Vol. 83, No. 30.

Date of 3rd publication July 26, 1973, Vol. 83, No. 31.

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Date of 4th publication August 2, 1973, Vol. 83, No. 32.

Subscribed and sworn before the undersigned this 7 day of Aug., 1973.

SAMUEL K. SMITH,
Notary Public, Baldwin County.

J. H. FAULKNER,
Editor.

Also:

By Mr. Shelby:

S. 940. Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which bill relates to the Firemen's and Policemen's Pensions and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit for a fireman or policeman retiring on or after the effective date of this Amendatory Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
COUNTY OF

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which bill relates to the Firemen's and Policemen's Pensions and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit for a fireman or policeman retiring on or after the effective date of this Amendatory Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 7. Said Firemen's and Policemen's Pension and Relief Fund shall be derived, obtained, and created as follows: A. From the salary of each fireman and each policeman there shall be deducted, and paid into said fund, an amount equal to six per centum of the amount of such salary. Provided that whenever a member of the fire or police department of such city is eneligible to participate in the benefits of such fund by reason of the provisions of this Act, neither such ineligible member nor his salary nor other compensation shall be subject to any assessment for the benefit of such fund. B. Each fire insurance company, including mutual and industrial fire insurance companies, qualified to do business under the laws of Alabama, and

doing business in such city, shall annually and on or before the first day of March of each year hereafter, pay into said Firemen's and Policemen's Pension and Relief Fund, a sum equal to one and one-half per centum of the gross premiums, less return premiums, received by such fire insurance company for and on account of business, including all renewals of fire insurance, done by it in the city, during the preceding calendar year; and it shall be unlawful for any such fire insurance company or its agent, to take or receive any premium for insurance against fire within the city unless such fire insurance company shall pay, at the time aforesaid, to the said Firemen's and Policemen's Pension and Relief Fund, the amount herein provided to be paid by such fire insurance company; and any such fire insurance company violating any of the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of One Thousand Dollars, to be recovered against such fire insurance company so violating said provisions, or its agent, by suit brought in the name of the city for the use of such fund. Each person, firm, or corporation, which conducts a fire insurance agency or brokerage business in such city, shall annually, within the first ten days of each year, make and file a sworn statement, in writing, with the city clerk of such city, as treasurer of such fund, giving the name and address of each fire insurance company which such person, firm or corporation represented or did business for, as agent or broker, during the preceding year; and any such person, firm or corporation conducting any such fire insurance agency or brokerage business in such city, violating the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of One Hundred Dollars to be recovered against such person, firm or corporation, so violating such provisions, by suit brought in the name of such city for the use of such fund and all such forfeitures and penalties provided for herein, when collected, shall be and become a part of said Firemen's and Policemen's Pension and Relief Fund. **Provided, however, that the said sum equal to one and one-half per centum of gross premiums, less return premiums required by this paragraph of this section to be paid by fire insurance companies into said Firemen's and Policemen's Pension and Relief Fund shall be treated and held to be a part of the maximum of four per cent on each one hundred dollars, or major fraction thereof, of gross premiums, less return premiums, which any municipal corporation may by law impose upon any fire insurance company in any one year as a license or privilege tax for the privilege of doing business in such municipality during such year under Section 739 of Title 37 of the Code of Alabama of 1940 as amended or as the same may be amended.** C. All firemen and policemen shall promptly pay into such fund all witness fees in criminal cases, and in cases in which they have been summoned by the city, received by them from any court in the county in which such city is situated, and all moneys received by them or any of them as a reward or gratuity for the apprehension of any person, the furnishing of any evidence, the recovery or saving of any property, services at any fire, or otherwise received by them for similar service or for work in the line of his duty. D. There shall be paid into such fund, as and when received, all liquor seizure fees received by any policeman or to which he may be entitled and all amounts received by the city from the State Alcohol Beverage Control Board for confiscated liquors and beverages delivered to it as required by law. E. The Board of Trustees may take by gift, grant, devise or bequest, any money, personal property, real estate or any interest therein or any right of property; and any such gift, grant, devise or bequest may be absolute or in fee simple or upon condition that only rents, income and profits arising therefrom shall be applied to the purposes for which said fund is created. F. The

governing body of the city shall cause to be paid into such fund out of the treasury of such city, an amount equal to twelve percentum of the salary of each member of such fire and police department who is eligible to participate in the benefits of such fund, such payment to be made to such fund as and when such salary becomes payable, and deduction therefrom is made as provided in this section."

Section 2. Section 11 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 11. Investment of Portion of Fund.

The Board of Trustees, after considering the probable demands upon the fund, may invest such portion of it as may be safely withdrawn for the purpose. Of that portion of the fund which the Board of Trustees has determined to be available for investment, not less than fifty per cent (50 per cent) shall be invested, or held for investment, in interest bearing bond or securities of the United States of America, bonds of any state in the United States, any bonds lawfully issued by municipalities in the United States, or invested in any insured savings and loan association to the extent that such investment is insured by the Federal Savings and Loan Insurance Corporation, or invested in any commercial bank to the extent that such investment is insured by the Federal Deposit Insurance Corporation; not exceeding fifty per cent (50 per cent) of the money deemed available for investment may be invested in corporate stocks and bonds; not exceeding thirty per cent (30 per cent) of the money deemed available for investment may be invested in real estate loans, secured by a first mortgage thereon. All income from investments shall be and become a part of the fund. All securities belonging to the fund shall be deposited with the treasurer of the fund or, in the event that a financial agent has been employed, may be held by the financial agent and shall be subject to the direction and control of the Board of Trustees."

Section 3. Section 22 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 22. Retirement by Reason of Service and Age.

Any fireman or policeman who has been in the service of the police or fire department for as long as twenty-five (25) years without regard to his then attained age or who has been in the service of said department for as long as twenty (20) years and who has reached the age of sixty (60) years, upon application by him shall be retired and placed on the pension roll by said Board of Trustees."

Section 4. Section 23 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 23. Monthly Benefits for Temporary Disability Arising as Result of Service in Department; Retirement for Permanent Disability.

Whenever the Board of Trustees shall determine that any fireman or policeman has become temporarily disabled, mentally or physically, for service in the department of which he is a member, and that such disability arose from any injury received or accident occurring while engaged in the performance of his duty or is otherwise a direct result of his service in such department the Board of Trustees shall order that such disabled fireman or policeman be paid monthly out of such funds, during the period of such disability,

a sum equal to sixty-five (65) per cent of the monthly compensation paid such fireman or policeman as salary at the time of his having become so disabled; provided, that any benefits payable under this section shall be reduced by an amount equal to the amount, if any, which the beneficiary shall receive from such city as salary. The Board of Trustees shall be the sole judge of the extent and cause of any such disability and of the time when such disability has ceased to exist, and the Board's determination thereof shall be final. Whenever the Board of Trustees shall determine that such disability is, or has become, permanent, they shall retire such disabled person and place him upon the Pension Roll and pay him an initial monthly pension equal to sixty-five (65) per cent of the monthly compensation paid such fireman or policeman at the time of his having become so disabled. The maximum monthly benefit payable hereunder shall be three hundred dollars (\$300), and benefits under this section shall not be limited by Section 29 herein."

Section 5. Section 25 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 25. Payments to Dependents of Member.

For the purpose of this section, children of any policeman or fireman who are under the age of eighteen (18) years, and also the widow of any policeman or fireman while unmarried shall be conclusively presumed to be entirely dependent upon such fireman or policeman.

If any fireman or policeman shall, while in the performance of his duty be killed, or die as a result of any injury received in the line of his duty, or shall die from any cause whatsoever as the result of his service, in such department and while in such service; or after having served in such department for more than ten years, the last five years of which were consecutive shall die from any cause while in the service or on the retired or disabled list, and shall leave a surviving spouse (if retired, to whom he was married at the time of his retirement) surviving him, and entirely dependent upon him, the Board of Trustees shall direct the payment to such surviving spouse monthly during his or her natural life, and while unmarried and entirely dependent on such payment, a sum equal to twenty-five per cent of such fireman's salary if a fireman, and twenty-five percent of such policeman's salary if a policeman. If such fireman or policeman leaves surviving him a child or children under eighteen years of age, said Board shall direct the payment monthly from such fund to their surviving parent, whether married or unmarried, for their use and benefit, an amount equal to fifteen percent (15 percent) of such policeman's or fireman's salary at the time of his death for each child under eighteen years of age not to exceed in the aggregate an amount equal to forty-five percent (45 percent) of such salary, so long as such child or children live with their surviving parent and are under eighteen years of age and are supported by such surviving parent. If such child or children have no surviving parent, or such surviving parent dies during the time such child or children are entitled to such benefit, such sum may be paid by the Board of Trustees to the person having control and custody of such child or children or to such other person as said Board of Trustees may direct, to be expended by such person for the benefit of such child or children as may be prescribed by said Board of Trustees. Should such deceased fireman or policeman leave no surviving spouse or child entitled to benefits as hereinabove set out, but a widowed mother entirely dependent upon him for support, said Board of Trustees shall pay to her monthly during her natural life and so long as she remains unmarried, a sum equal to twenty-five percent (25 percent) of such

fireman's monthly salary, if a fireman, and a sum equal to twenty-five percent (25 percent) of such policeman's monthly salary, if a policeman. The maximum benefit payable hereunder shall be two hundred dollars (\$200) per month."

Section 6. Section 29 of Act No. 328, 1959 Regular Session (1959 Acts, p. 907, Vol. 2), as last amended, is hereby amended to read as follows:

"Section 29. Limitations on Amount of Pension Benefits. Under no circumstances shall any retired fireman or policeman be paid a pension or other benefit of more than One Hundred Twenty-five Dollars (\$125.00) if he has contributed to the fund for less than five years, or more than One Hundred and Fifty Dollars (\$150.00) per month if he has contributed to the fund for five years and less than ten years, or more than One Hundred Seventy-five Dollars (\$175.00) per month if he has contributed to the fund for ten years and less than fifteen years, or more than Three Hundred Dollars (\$300.00) per month if he has contributed to the fund for fifteen years or more. Provided, however, that the above Three Hundred Dollar limitation, only with regard to any fireman or policeman (including those on the retired list) who has contributed to the fund for fifteen years or more and who has twenty-five years or more of service in the department, may be increased by the Board of Trustees in such amount as an actuarial study may indicate is justified by the fund's condition. Such increase in the Three Hundred Dollar limitation, as herein authorized, shall be made by the Board of Trustees by resolution duly spread upon its Minutes, and no such increase shall be authorized unless and until an actuarial evaluation, made by some person, firm, or corporation experienced and nationally recognized in the field of actuarial evaluation, indicates the financial soundness of such increase. For the advice of the Board, such actuarial evaluation shall be requested at intervals not exceeding twenty-four (24) months."

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF TUSCALOOSA.

Before me, the undersigned authority in and for said County in said State, this day personally appeared James B. Boone, Jr. Publisher, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 20, 1973, August 6, August 13, and August 20, all in the year 1973.

JAMES B. BOONE, JR.

Sworn to and subscribed before me August 20, 1973.

LILLI COLLINS,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read on time and referred to appropriate Standing Committees as follows:

- S. 943. Local Legislation No. 1.
- S. 933. Local Legislation No. 1.
- S. 940. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Wilson:

S. 938. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, abolishing the Board of Revenue, establishing in lieu thereof a commission and providing for election of a president and members of said commission for the nomination of members thereof from districts herein prescribed and to prescribe the functions, jurisdiction, powers, and duties of such commission and the president and members thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

- S. 938. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Edington:

S. 939. To authorize and make provisions for the incorporation in any municipality having a population of not less than 175,000 nor more than 250,000 according to the last or any subsequent Federal Decennial Census of an Authority as a public corporation for the purpose of providing public transportation service in such county, upon the filing of an application with, and the authorization of such incorporation by, the governing body of any such municipality within which any such Authority proposes to furnish any such service; to provide for the amendment of the certificate of incorporation of any such Authority for certain purposes at any time, upon the authorization of each such amendment by the governing body of the municipality by which its incorporation was authorized; to provide for the election and com-

compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance one or more transit systems; to confer on any such Authority the power of eminent domain; to authorize any such Authority to expend funds for the purchase or lease of materials, equipment supplies or other personal property involving less than \$2,000 without compliance with the provisions of Act No. 217 (1967 Special Session) as amended that might otherwise be applicable; to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by it; or provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of the following: (a) any tax proceeds appropriated, allocated or made payable (in whole or in part) to such Authority by or pursuant to any act of the legislature of this state or by or pursuant to any ordinance, resolution or order of any county in which the Authority is authorized to furnish transportation service or any municipality located in such county and (b) the revenues of any one or more of the transit systems of such Authority, without regard to the system or systems with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which sum securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any transit system, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state, to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that each such Authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such Authority; to require the board of directors of any such authority to adopt an annual bud-

et and to cause annual audits of the books and records of such authority to be made; to permit membership in labor organizations by employees of any such Authority; to provide that no employee of any such Authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; and to provide for the dissolution of any such Authority and the disposition of its property.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 939. Local Legislation No. 3.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Pierce and Jones:

S. 936. To amend Title 13, Section 125 (75d), Code of Alabama, as amended relating to the payment of supplemental salaries by Montgomery County to deputy district attorneys in the fifteenth judicial circuit.

Also:

By Mr. O'Bannon:

S. 897. To provide for a stenographic secretary for the District Attorney of the Thirty-First Judicial Circuit.

Also:

By Mr. Lindsey:

S. 934. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in counties having less than 16,350 nor more than 16,650 population according to the most recent Federal Decennial Census.

Also:

By Mr. O'Bannon:

S. 894. To amend Act Number 1255, H. 1118, and Act Number 1144, S. 593, Regular Session, 1969 (Acts 1969, Pages 2145 and 2372, respectively), which authorizes and provides for the establishment of a public law library in Colbert County, and provides for the taxing and collection of additional court costs in certain courts, in the county, to finance such library; to provide further for the taxing and collection of additional court costs for such purpose.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

To amend Act Number 1255, H. 1118, and Act Number 1144, S. 593, Regular Session, 1969 (Acts 1969, Pages 2145 and 2372, respectively), which authorizes and provides for the establishment of a public law library in Colbert County, and provides for the taxing and collection of additional court costs in certain courts, in the county, to finance such library; to provide further for the taxing and collection of additional court costs for such purpose.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act Number 1255, H. 1118, and Act Number 1144, S. 593, Regular Session 1969 (Acts 1969, Pages 2145 and 2372, respectively), which authorizes and provides for the establishment of a Public Law Library in Colbert County, is hereby amended to read, as follows:

"Section 2. In order to provide a special fund for the maintenance of said library, there shall be taxed as cost:

"The sum of Two and no/100 (\$2.00) Dollars, in each misdemeanor case, or case involving the violation of a municipal ordinance, other than an ordinance relating to parking vehicles filed in a municipal court:

"The sum of Three and no/100 (\$3.00) Dollars, in each criminal case, quasi-criminal case, or civil case filed in the County Court, and in each criminal case, or quasi-criminal case involving a misdemeanor filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Colbert County;

"The sum of Three and no/100 (\$3.00) Dollars, in each criminal or quasi-criminal case, involving a felony, and in each civil action, at law, suit in Equity, proceeding on a forfeited bail bond, or proceeding on a forfeited bond, given in connection with an appeal from a judgment of conviction in any Inferior Court, to the Circuit Court of Colbert County, hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise, to the Circuit Court of Colbert County, Alabama.

"Such costs shall be collected as other cost in such Courts are collected, and shall be paid by the magistrate, clerk of the court, or register thereof, as the case may be, to the County Depository of Colbert County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise, becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COLBERT COUNTY

Before me, John D. Clement, Jr., a Notary Public in and for said State and County aforesaid, personally appeared Jim Crawford, Jr., Publisher of The Colbert County Reporter, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in the Colbert County Reporter for 4 successive weeks, as follows: July 19, 26, Aug. 2, 19, 1973; That Colbert County Reporter is a weekly newspaper of general circulation in Colbert County, Alabama; That it is entered in the Postoffice at Tuscumbia, Ala-

bama, 35674, as second-class mailing matter; That it has been published for 52 successive weeks prior to the publication of this legal notice.

JIM CRAWFORD, JR.,
Publisher.

Sworn to and subscribed before me, this 15th day of August, 1973.

JOHN D. CLEMENT, JR.,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 936. Local Legislation No. 4.
- S. 897. Local Legislation No. 1.
- S. 934. Local Legislation No. 1.
- S. 894. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1989. To repeal Act No. 1334, H. 2123, Regular Session 1971 (Acts 1971 p. 2283), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

McDOWELL LEE,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution and House Bills herein-after mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:00 A.M. on August 28, 1973.

- H. 1820
- H. 1821
- H. 1822
- H. 1310

REGULAR SESSION
33rd Day

4731

H. 1806
H. 1859
H. 1597
H. 1904
H. 1910
H. 1743
H. 1739
H. 1911
H. 1626
H. 1846
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H. 1428
H. 1429
H. 1439
H. 1860
H. 742
H. 744
H. 773
H. 855
H. 1047
H. 1514
H. 1819
H. 1522
H. 996
H. 796
H. J. R. 187

Delivered to the Secretary of State at 10:15 A.M. on August 28, 1973.

H. 1709 (Constitutional Amendment)
H. 1431 (Constitutional Amendment)
H. 377

JOURNAL OF THE HOUSE, 1973
34th Day

Delivered to the Governor at 4:00 P.M. on August 28, 1973.

H. 960

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Warren, the House adjourned until 12:00 o'clock noon, Thursday, August 30, 1973.

Yeas 35; Nays 21.

Yeas:

Mr. Speaker	Crawford	Lutz	Reid (R)	
Barkett	Drake	McDonald	Reynolds	
Barron	Edwards	Mathews	Smith (K)	
Bassett	Fite	May	Snell	
Benton	Goodwin	Merrill	Stokes	
Brassell	Hardin	Mims	Therrell	
Chesnut	Hearn	O'Daniel	Turner	
Connell	King	Perloff	Wood	
Cottingham	Lang	Pruitt		—35

Nays:

Messrs.:	Flippo	McMillan	Taylor	
Adams	Grainger	Nettles	Waggoner	
Boles	Hale	Roberts	Waldrop	
Carnes	Hill	Slate	Wise	
Doss	Jones (F)	Smith (P)	Wynot	
Ellis	McCluskey			—21

THIRTY-FOURTH DAY

House of Representatives
Montgomery, Alabama
Thursday, August 30, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Wayne Graham, Pastor, First United Methodist Church, Arab, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Barron	Brassell	Cauthen
Adams	Bassett	Burgess	Chesnut
Adwell	Benton	Callahan	Collins
Agee	Boles	Carnes	Connell
Bank	Boutwell	Carter	Coshatt
Barkett	Bowers	Casey	Cottingham

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Crawford	Hardin	Mathews	Smith (K)
Cross	Harris	May	Smith (P)
Crowe	Headley	Meeks	Snell
Culver	Hearn	Merrill	Stewart
Doss	Hill	Mims	Stokes
Downing	Hobbie	Naramore	Stubbs
Drake	Hughes	Nettles	Taylor
Easters	Jackson	O'Daniel	Therrell
Edwards	Jones (F)	Owens	Timmons
Ellis	King	Parker	Turner
Erdreich	Kinsey	Perloff	Turnham
Falkenburg	Lang	Porter	Waggoner
Fite	Lutz	Pruitt	Waldrop
Flippo	McBride	Reed (T)	Wallace
Gafford	McCluskey	Reid (R)	Warren
Goodwin	McCorquodale	Reynolds	Weeks
Grainger	McDonald	Roberts	Williams
Gray (F)	McMillan	Robertson	Wise
Grey (D)	McNair	St. John	Wood
Hale	Manley	Slate	Wynot

—104

A quorum was present.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E), due to illness.

At the request of Mr. Timmons, leave of absence was granted for Mr. Dill, due to illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-third legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. McCorquodale, the reading at length of the Journal of the House for the thirty-third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirty-third legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 247. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Friday, August 31, 1973, and that when they adjourn on Friday, August 31, 1973, they adjourn to meet again on Wednesday, September 5, 1973, and that when they adjourn on Wednesday, September 5, 1973, they adjourn Sine Die.

The motion of Mr. McCorquodale to suspend the rules in order to bring up for immediate consideration the resolution, H. J. R. 247, was lost.

Yeas 24; Nays 29.

Yeas:

Mr. Speaker	Connell	Grey (D)	Mathews
Boles	Doss	Jackson	May
Carnes	Downing	McBride	Owens
Carter	Easters	McCluskey	Smith (K)
Casey	Edwards	McCorquodale	Turnham
Cauthen	Fite	McDonald	Wynot

—24

Nays:

Messrs.:	Falkenburg	Lutz	Reynolds
Adams	Goodwin	McMillan	Robertson
Agee	Hale	Nettles	Stewart
Barkett	Hardin	Perloff	Therrell
Boutwell	Headley	Porter	Timmons
Chesnut	Hobbie	Pruitt	Warren
Coshatt	Hughes	Reid (R)	Williams
Erdreich	King		

—29

And the resolution, H. J. R. 247, was read and referred to the Standing Committee on Rules.

BILLS ON SECOND READING

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 311. To provide for the preservation, enhancement and development of the coastal areas of Alabama; to establish a board with responsibility and authority for developing, coordinating and maintaining a coastal area program; and to provide for the promulgation of regulations and provisions for the enforcement of this act.

Mr. Crawford, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 579. To authorize the governing bodies of the several counties of the State to pay all expenses incurred by the Tax Assessors, Tax Collectors, Circuit Clerks and Registers or other like official by membership in their State organization.

Mr. Naramore, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 86. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Department of Education to establish a special fund to be designated as the "Driver Education and Training Fund" for the

express purpose of instituting and conducting a program of prelicensing driver education and training.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 761. To provide an additional expense allowance for the Circuit Judges of the Ninth Judicial Circuit.

S. 762. To provide for an additional expense allowance for the District Attorney of the Ninth Judicial Circuit.

S. 763. To provide an expense allowance for the District Attorney of the Thirty-eighth Judicial Circuit.

S. 764. To provide for an expense allowance for the Circuit Judge of the Thirty-eighth Judicial Circuit.

S. 779. To authorize the district attorney of the Thirty-Eighth Judicial Circuit to appoint a part-time deputy district attorney, and to prescribe his duties; to fix his compensation and the manner of its payment.

S. 780. To authorize the district attorney of the Ninth Judicial Circuit to appoint one full-time and one part-time deputy district attorney, and to prescribe their duties; to fix their compensation and the manner of its payment.

S. 799. To give statutory recognition to the condominium form of ownership of real property in Barbour County and prescribe regulations therefor.

S. 823. To authorize the governing body of Barbour County to provide for the relief of Evelyn Herring for the damage to her automobile due to a defective county road.

S. 833. To provide additional compensation for each official court reporter of the Thirty-eighth Judicial Circuit.

S. 834. To establish in the Thirty-eighth Judicial Circuit the office of clerk-secretary to each circuit judge of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the county comprising the Thirty-eighth Judicial Circuit.

S. 836. To amend Act 249, S. 171, Regular Session 1973, which provides additional compensation for the official court reporters of the ninth judicial circuit, so as to change the method of payment.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

S. 863. (With Substitute): Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salaries of bailiffs appointed by any circuit judge of the judicial circuit in which such county lies.

S. 866. (With Substitute): Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salary of the clerical assistant to the district attorney of the judicial circuit in which such county lies.

S. 868. (With Substitute): Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation and expenses of the circuit clerk in such counties.

S. 869. (With Substitute): Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation of the register of the circuit court in such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 875. Relating to counties having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census; authorizing the District Attorney of such counties to appoint one Deputy District Attorney; providing for compensation.

S. 879. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

S. 933. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

S. 934. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in counties having less than 16,350 nor more than 16,650 population according to the most recent Federal Decennial Census.

S. 938. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, abolishing the Board of Revenue, establishing in lieu thereof a commission and providing for election of a president and members of said commission for the nomination of members thereof from districts herein prescribed and to prescribe the functions, jurisdiction, powers, and duties of such commission and the president and members thereof.

S. 940. Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act. No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last amended, which bill relates to the Firemen's and Policemen's Pensions and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit for a fireman or policeman retiring on or after the effective date of this Amendatory Act.

S. 757. Applicable to any county having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial

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census; to provide that charitable funds contributed to such county may be used to carry out the provisions of Act No. 394, H. 204, Regular Session 1957 (Acts 1957, p. 539).

S. 828. Relating to Dale County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Dale County.

S. 897. To provide for a stenographic secretary for the District Attorney of the Thirty-First Judicial Circuit.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1452. (With Substitute): To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuskegee, Macon County, Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2258. To give statutory recognition to the condominium form of ownership of real property in all counties having a population of not less than 24,500 nor more than 25,000 inhabitants according to the most recent federal decennial census and prescribe regulations therefor.

H. 2288. Authorizing the governing body of Dallas County to pay the members of the Board of Registrars additional compensation.

Mr. Matthews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 851. To make a conditional appropriation to the Special Mental Health Fund from the State General Fund for each of the two fiscal years ending September 30, 1974, and September 30, 1975.

S. 145. To amend Title 52, Section 351, Code of Alabama, 1940, as amended, to provide that certificated employees of the Alabama Institute for Deaf and Blind, Alabama Industrial School for Boys, Alabama Industrial School for Girls, and Alabama Industrial School at Mt. Meigs shall be defined as teachers and shall be covered under the Alabama Teacher Tenure Law.

S. 223. To provide an expense allowance for the members of the State Board of Education in addition to certain expenses incurred in attending meetings and transacting business of the board and providing that provisions

of Act No. 470, S. 182, Regular Session 1969 (Acts 1969, p. 912) shall not be applicable to the members of said boards.

S. 253. To authorize the Director of Finance, the Director of the Alabama Development Office, the State Treasurer and the Executive Secretary to the Governor to become a public corporation for the purpose of acquiring land for, and erecting, constructing, maintaining, operating and leasing thereon, a products market, exhibition halls, buildings and other related structures and facilities in Jefferson County, Alabama, where products and goods may be displayed to encourage the buying and selling of such products and goods, to encourage the expansion of existing industries in Alabama, to encourage the location of new industries in Alabama and to foster and encourage the growth of the general economy of Alabama; to provide the procedure for incorporation and to designate the members, directors and officers of the Authority; to provide for the establishment in Jefferson County, Alabama, of a products market to be known as the Southern Products Mart Authority; to prescribe the powers of the Authority, including the power to acquire real estate and to acquire, erect, construct, insure, maintain, manage, operate and lease thereon, facilities, buildings, warehouses, storage facilities, exhibition halls, parking areas and other structures and appurtenances of every kind and character used or useful by the Authority for its purposes, to exercise the power of eminent domain, and the power to sell and issue not exceeding twenty million dollars principal amount of bonds for such purposes; to specify certain provisions to be contained in the bonds and the execution and sale of such bonds; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues, receipts and income of the Authority and shall not create an obligation or debt of the State or any political subdivision thereof other than the Authority; to provide that any bonds issued by the Authority may be used as security for the deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds of the Authority; to specify the application of the revenues, receipts and income of the Authority; to provide for the construction and equipment of the buildings and facilities of the Authority; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues, receipts and income from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues, receipts and income which filing will constitute notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to or by any person as defined in the act, including the state or any political subdivision thereof, any agency or board of the state, any municipality or body politic, of space for occupancy on the premises or in the buildings or other structures of the Authority; to provide for the audit of books and accounts of the Authority; to provide for competitive bidding on construction contracts; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; to provide for and limit remedies in the event of any default; to provide for dissolution of said Authority and con-

veyance of its assets and properties to the state upon payment of said bonds; to provide that the provisions of this act shall be severable; and to provide for a date upon which this act shall become effective.

S. 336. To create a State Commission on Salaries for the purpose of assisting the Legislature in ascertaining the salaries or compensation of constitutional state officers, justices and judges of state courts and certain state officers, offices and positions; to provide for the composition of the Commission, for the terms of office, method of appointment, allowances and expenses of Commission members; to provide a method of filling vacancies; to authorize the members to select a Chairman; to provide for a Secretary of the Commission; to fix salaries or compensation for said state officers, justices, judges, offices and positions; to direct and empower the Commission to make findings of fact pertaining to the amounts of such salary or compensation; to provide for the filing of written reports of the results and determinations of each study conducted by the Commission; to provide for the alteration or rejection by Act of Legislature of the determinations made by the Commission; to provide for the effective date of the establishment of such salaries or compensation; to provide for the filing of any reports of the Commission with certain offices; to appropriate sufficient monies to pay for the salaries or compensation of the officers, offices and positions affected by this Act.

S. 337. To provide for the sale to the Alcoholic Beverage Control Board of certain confiscated liquors and beverages; and to provide for the disposition of funds accruing therefrom.

S. 707. To further regulate the procedure for keeping a record of certain non-consumable personal property owned by the State.

S. 709. To provide that any legislative proposal affecting the Teachers Retirement System of Alabama or the Employees' Retirement System of Alabama be accompanied by an actuarial estimate of all future contributions required of the State or members of the Retirement Systems.

S. 711. To amend Section 708, Title 51, Code of Alabama 1940, by increasing the payment for replacement motor vehicle license plates to three dollars, one dollar to be retained by the license inspector or the probate judge and two dollars to be remitted to the department of revenue.

S. 712. To create the position of Manager of Printing and Publications in the Department of Finance, to provide for the functions, duties, and responsibilities of this position, to provide for the employment of a manager and additional employees and their compensation, and to make an appropriation.

S. 717. To create a Data Systems Management Division within the Finance Department, to provide its powers, duties, and authority, to authorize the employment of a Director of such division and additional employees and to provide for their compensation, to create an Advisory Committee and its composition, and to make appropriation.

S. 718. To amend Section 9 of Act No. 341, H. 26, Regular Session 1945 (Acts 1945, p. 554), which pertains to the Department of Conservation and Natural Resources' powers and duties with respect to lands owned by the State of Alabama, so as to provide that the maximum amount charged by said Department for administering, managing, protecting or developing state

owned land will be raised from five percent (5%) of the gross income derived from said land to seven and one-half percent (7½%).

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 720. (With Substitute): To require annual audits by licensed certified public accountants or licensed certified public accounting firms of banks; to require reports of such audits to be made to the State Superintendent of Banks; to authorize the State Superintendent of Banks to prescribe form and content of such audits and reports; and to prescribe penalties.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 721. To provide for the purchase of materials, equipment, supplies or other personal property from the United States Government or any of its agencies without receiving competitive bids on such purchases.

S. 723. To amend further Section 64 of Title 36, Code of Alabama, (1940), as amended, so as to increase the fee for learner's permits to fifty cents.

S. 724. To amend further Section 74 of Title 36, Code of Alabama, (1940) as amended, so as to increase the fee for a duplicate driver's license to \$1.50.

S. 725. To create the Office of Space Management in the Department of Finance, to prescribe its powers, duties, and responsibilities, to authorize the hiring of a director and staff, and to provide for the compensation of such employees, and to make an appropriation.

S. 774. To create the Minerals Resource Management Committee; to provide for its membership, duties and responsibilities.

S. 860. To provide that all former Governors of the State of Alabama who shall have been partially or totally disabled while serving in that office shall receive monthly retirement pay out of the general fund in the state treasury.

Mr. McCorquodale, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 2198. To propose an amendment to the Constitution of Alabama affecting public officers and relating to dual office holding, disqualification by conviction of a crime, regulating compensation of public officers, and to provide a method of changing the basis of compensating county officials; and for the repeal of sections 60, 280, 281, and amendment 92 of the Constitution of Alabama of 1901 as amended.

The above bill was read a second time at length as required by the Constitution.

Mr. McCorquodale, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 188. (With Substitute): To provide that the names of candidates for President and Vice President of the United States shall appear on the official ballot in general elections; to provide for the form of ballot to be used in such election and to provide the method of voting for Presidential or Vice Presidential elector candidates.

Mr. McCorquodale, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 670. To propose an amendment to the Constitution of the State of Alabama relative to the office of lieutenant governor.

The above bill was read a second time at length as required by the Constitution.

Mr. McCorquodale, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendments, and it was read a second time and placed on the Calendar, to-wit:

S. 214. (With Amendments): To propose an amendment to the Constitution of Alabama with respect to Article VI thereof which creates the Judicial Department of the State and prescribes the powers, duties and functions of all courts and the powers, duties, functions and qualifications of all judicial, prosecuting, and administrative officers; and for the repeal of Article VI of the Constitution of Alabama of 1901 as amended, and amendments 317 and 323 thereof.

The above bill was read a second time at length as required by the Constitution.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2289. To prohibit the hunting of wild deer with a rifle or carbine in the County of Cullman, and prescribing the penalty for such offense.

S. 943. Relating to counties having a population of not less than 53,000 nor more than 55,000; to provide an additional expense allowance for the probate judge.

Mr. Fite, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 147. To further provide for the re-examination of applicants taking the Alabama Bar Exam for admission to practice law and to repeal all laws, parts of laws, rules, regulations, and other requirements in conflict with this act.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 1300. To amend Section 4 of Act No. 1292, H. 1795, Regular Session, (Acts 1971, p. 2220) providing for the office of commissioner and deputy commissioner of licenses in counties having a population of not less than one hundred fifteen thousand and not more than one hundred fifty thousand according to the last or any subsequent decennial federal census, so as to provide for the establishment of the deputy commissioner's salary, require such commissioner to be bonded, and take an oath of office.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Shelby, Owen and Littleton.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1955. To repeal Act No. 232, H. 253, Third Special Session 1971, (Acts 1971, p. 4501), entitled, "An Act Relating to Solicitor's or District Attorney's funds in Judicial circuits consisting of one county and one county having not less than 175,000 nor more than 300,000 according to the most recent federal decennial census."

Also:

H. 1956. Relating to Madison County and the Twenty-Third Judicial Circuit; pertaining to Solicitor's or District Attorney's Fund.

Also:

H. 1957. To repeal Act No. 2314, S. 1086, Regular Session 1971, (Acts 1971, p. 3737), entitled, "An Act To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last federal decennial census."

Also:

H. 1958. Relating to Madison County; regulating further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court.

Also:

H. 1959. To repeal Act No. 896, H. 1594, Regular Session 1971, (Acts 1971, p. 1660), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the most recent federal decennial census to create a planning commission having certain powers, duties and regulations."

Also:

H. 1960. To repeal Act No. 1306, H. 2094, Regular Session 1971, (Acts 1971, p. 2251), entitled, "An Act Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the 1970 or any subsequent federal decennial census, to create a Planning Commission having certain powers, duties and regulations."

Also:

H. 1961. Relating to the municipality of Huntsville in Madison County; authorizing the municipality to create a planning commission having certain powers, duties and regulations.

Also:

H. 1962. To repeal Act No. 1331, H. B. 2119, Regular Session 1971, (Acts 1971, p. 2280), entitled "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

Also:

H. 1963. To repeal Act No. 1477, S. B. 1013, Regular Session 1971, (Acts 1971, p. 2534), entitled, "An Act To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable."

Also:

H. 1964. Relating to Madison County; authorizing the court of county commissioners, board of revenue or other like governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Also:

H. 1965. To repeal Act No. 126, H. B. 393, Regular Session 1971, (Acts 1971, p. 404) entitled, "An Act To provide for appointment and compensation of a secretary for each judge of any circuit court in counties having a population of not less than 175,000 nor more than 300,000."

Also:

H. 1966. Relating to Madison County; providing for appointment and compensation of a secretary for each judge of the circuit court.

Also:

H. 1967. To repeal Act No. 1450, S. B. 971, Regular Session 1971, (Acts 1971, p. 2478), entitled "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to establish legal names for all county roads, and to set speed limits on county roads, consistent with state policy."

Also:

H. 1968. Relating to Madison County; authorizing the Board of County Commissioners to establish legal names for all county roads and to set speed limits on county roads, consistent with state policy.

Also:

H. 1969. To repeal Act No. 1392, H. 2307, Regular Session 1971, (Acts 1971, p. 2349), entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1196. To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

Also:

H. 2044. Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial

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census, providing an annual expense allowance for the circuit clerks of such counties in lieu of and superseding all existing travel or other expense allowances heretofore prescribed by law for such officials.

Also:

H. 2065. To amend Section 19, Act No. 30, S. 5, 1963 Regular Session (Acts 1963, p. 404) which provided for demand for jury trial, so as to provide for a procedure for demanding a jury trial in Marshall County.

Also:

H. 1876. To amend Act No. 981, H. 885 of the Regular Session of 1971 (Acts of 1971, p. 1752), which provides for the institution and prosecution of misdemeanor cases for the County Court of Bibb County and authorizes, provides for and regulates certain procedures in such court before the Clerk of the Circuit Court, Ex-Officio Clerk of the County Court of Bibb County, amending the title and Section 1 of such Act so as: To provide that the same procedures may be followed in a Justice Court established in Bibb County as authorized in Act No. 2445, H. 2343 of the 1971 Regular Session (Acts 1971, p. 3907), if such a court is established, and that the Clerk of the Circuit Court shall serve Ex-Officio as Clerk of such Justice Court; and to provide that the Clerk shall be entitled to the fees prescribed so long as he is compensated on a fee basis, but that if the method of his compensation is changed to a salary basis, such fee shall continue to be collected and paid into the county treasury.

Also:

H. 2064. To permit the Court of County Commissioners, or any similar or successor governing body of Dallas County to supplement, from County funds, the salary of any Circuit Judge residing in said County and serving the Circuit Court of said County.

Also:

H. 2046. Applicable to any county having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to authorize such county to promulgate, administer, and enforce airport zoning regulations limiting the height of structures and objects of natural growth, and otherwise regulating the use of property, in the vicinity of airports, and to acquire, by purchase, grant, or condemnation, air rights and other interests in land; to provide penalties and remedies for violations of this act or of any ordinance or regulation made under the authority conferred herein; and for other purposes.

Also:

H. 2047. Amend Section 3 of Act No. 729, H. 598, Regular Session 1953 (Acts 1953, p. 985) which provides airport zoning regulations, so as to exclude counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census.

Also:

H. 2060. To authorize and empower the Madison County Commission or other governing body of Madison County, Alabama, to establish a county-wide water and sewage system by the purchase of any existing water and/or

sewage authority in the county, or by legally acquiring same through any other method; to authorize the commission of said county, by appropriate resolution, to provide for the issuance of the necessary municipal bonds to pay for the purchase and/or operation of such a county-wide system; to provide for the operation of such systems; to repeal conflicting laws.

Also:

H. 1941. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney.

Also:

H. 1926. To repeal Act No. 2190, H. B. 2769, Regular Session 1971, (Acts 1971, P. 3504), entitled "An Act relating to all counties having a population of not less than 175,000 nor more than 300,000, according to the most recent and any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws."

Also:

H. 1927. Relating to Madison County; providing for the appointment and compensation of a bailiff for each judge of the County court and repealing conflicting laws.

Also:

H. 1928. To repeal Act No. 2282, S. 1220, Regular Session 1971, (Acts 1971, p. 3683), entitled "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine."

Also:

H. 1929. To repeal Act No. 2189, H. 2768, Regular Session 1971, (Acts 1971, p. 3503), entitled, "An Act To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length hav-

ing been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1992. To repeal Act No. 2188, H. B. 2767, Regular Session 1971, (Acts 1971, p. 3502), entitled, "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

Also:

H. 1991. Relating to Madison County; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Also:

H. 1990. To repeal Act No. 1474, S. 1010, Regular Session 1971 (Acts 1971, p. 2514), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000 according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

Also:

H. 1989. To repeal Act No. 1334, H. 2123, Regular Session 1971 (Acts 1971, p. 2283), entitled "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report."

Also:

H. 1988. Relating to Madison County; providing authority for the Board of County Commissioners to provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

Also:

H. 1987. To repeal Act No. 1448, S. B. 970, Regular Session 1971, (Acts 1971, p. 2471) entitled, "An Act To provide the Board of County Commissioners in any county having a population of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, may provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries."

Also:

H. 400. Relating to the practice of public accounting; to regulate the practice of public accounting; to create a State Board of Public Accountancy and to provide for its membership and to prescribe its powers and duties; to provide for the regulation, examination, investigation, registration, issuance of certificates and permits, and for the revocation or suspension of certificates, registrations, and permits; to provide fees and charges and for expenses of said Board, making appropriations, prescribing penalties for violations of the Act, and repealing conflicting laws.

Also:

H. 243. To create a State Board of Auctioneers which shall administer and enforce the licensing of auctioneers in this state; to provide that licensees keep certain records; to assess fees; and to provide penalties for violations of this act.

Also:

H. 1114. To amend Section 2, Act No. 312, Acts of Alabama 1959, Vol. 2, p. 889 at 890, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Also:

H. 516. To increase certain fees prescribed for the Secretary of State to be charged for services performed in connection with service of process in certain cases, and for such purpose to amend further Code of Alabama 1940, Title 7, Sections 192, 193 and 199, as amended; Act No. 415, S. 280, Regular Session 1959 (Acts 1959, p. 1102), as amended; Act No. 128, S. 120, Regular Session 1949 (Acts 1949, p. 154), as amended; and Act No. 1936, H. 256, Regular Session 1971 (Acts 1971, p. 1325), all relating to such fees.

Also:

H. 517. Relating to the uniform commercial code, amending Sections 9-403 through 9-407, inclusive, of Act No. 549, S. 2, Regular Session 1965 (Acts 1965, p. 811), respecting the filing of secured transactions, so as to increase the fees to be paid the filing officer for the performance of certain duties.

Also:

H. 518. To amend further Sections 13 and 21 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055), known as the Alabama Business Corporation Act, as heretofore amended, so as to increase the fees for filing certain statements of incorporation and amendments thereto.

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Also:

H. 1059. To regulate annual leave and sick leave of state merit system employees, to provide for partial payment of accrued and unused sick leave at the time of retirement of such employees.

Also:

H. 1060. To further amend Section 9 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564), as amended, which provides for payment of insurance costs by the state for employees of the state, so as to delete the maximum amount which may be expended for an individual employee's insurance.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

**REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 2. To amend Section 366 of the Title 52 of the Code of Alabama as amended which relates to the Teachers' Retirement System of Alabama.

Also:

H. 120. To amend Section 367 of Title 52 of the Code of Alabama of 1940 as amended to provide for addition of 3 additional members of the Teachers' Retirement System to the Board of Control of the Teachers' Retirement System and one member of the Alabama Retired Teachers' Association to the Board of Control of the Teachers' Retirement System and to provide other personnel as deemed necessary by the Board of Control.

Also:

H. 118. To authorize and permit teachers who have retired under the Teachers' Retirement Act to perform duties in the Public schools of Alabama and any state supported institution of higher learning when they are physically and mentally able to do so in the opinion of the employing authority, to prescribe the limitations therefor and to repeal Act No. 738 of the 1969 Regular Session of the Legislature.

Also:

H. 1109. To amend further Code of Alabama 1940, Title 51, Section 350, as amended, by Act No. 74, Acts of Alabama 1955, Vol. I, p. 191 at p.

192; and as further amended by Act No. 103, Acts of Alabama 1971, Vol. I, pp 184-186, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Also:

H. 1110. To amend further Act No. 92, Special Session, 1963, Acts of Alabama 1963, Vol. I, p. 257 at p. 258, as amended, by Act No. 135, Acts of Alabama 1964, pp 199-200, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization of the use of funds.

Also:

H. 1112. To amend Act No. 100, Section 32, Second Special Session, 1959, Acts of Alabama 1959, Vol. I, p. 298 at pp 314-315, the Alabama Sales Tax Law, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Also:

H. 1113. To amend Act No. 78, Second Special Session, 1955, Acts of Alabama 1955, Vol. 1, p. 199, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Also:

H. 1108. To amend further Code of Alabama 1940, Title 51, Section 741, as amended by Act No. 73, Section 2, Acts of Alabama 1955, Vol. I, p. 188 at pp 190-191, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

Also:

H. 1111. To further amend Section 5 of Act No. 298, Regular Session, 1947, General Acts of Alabama 1947, p. 149, as amended, by Act No. 589, Acts of Alabama 1963, Vol. II, pp 1285-1287; as further amended by Act No. 766, Acts of Alabama 1965, Vol. II, p. 1378, by changing "old age assistance purposes only" to "general welfare purposes" in the authorization for the use of funds.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1949. To repeal Act No. 323, H. 416, Third Special Session 1971, (Acts 1971, p. 4612), entitled, "An Act Providing for the election of a president and vice president of the city board of education to such boards in cities having a population of not less than 135,000 nor more than 180,000 according to the last or any subsequent federal decennial census."

Also:

H. 1948. Relating to Madison County; permitting the county governing body to provide parking for certain persons and validating expenses incurred by the county governing body relative to parking prior to the passage of the Act.

Also:

H. 1947. To repeal Act No. 234, H. 255, Third Special Session 1971 (Acts 1971, p. 4504), entitled, "An Act To apply only to counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Also:

H. 1946. To repeal Act No. 884, H. B. 1241, Regular Session 1969, (Acts 1969, v. 2, p. 1590), entitled, "An Act Relating to counties having populations of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Also:

H. 1945. To repeal Act No. 1481, S. 1024, Regular Session 1971, (Acts 1971, p. 2537), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Also:

H. 1944. To repeal Act No. 1325, H. 2110, Regular Session 1971, (Acts 1971, p. 2275), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws."

Also:

H. 1943. Relating to the City of Huntsville in Madison County; and providing for the appointment of city recorders.

Also:

H. 1942. To repeal Act No. 1321, H. 2105, Regular Session 1971, (Acts 1971, p. 2272), entitled, "An Act Relating to city recorders; providing for appointment of recorders in cities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census."

Also:

H. 2002. To repeal Act No. 1912, S. 1091, Regular Session 1971 (Acts 1971, p. 3102), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

Also:

H. 2000. To repeal Act No. 1387, H. 2302, Regular Session 1971 (Acts 1971, p. 2330), entitled "An Act To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

Also:

H. 1999. Relating to Madison County; fixing and providing for a uniform and clothing allowance for deputies and members of the Sheriff's force.

Also:

H. 1998. To repeal Act No. 233, H. B. 254, Third Special Session 1971, (Acts 1971, p. 4503), entitled, "An Act To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for a uniform and clothing allowance for deputies and members of the sheriff's force of such counties."

Also:

H. 1997. Relating to Madison County; providing an expense allowance for the Judge of the County Court and providing for an effective date for the operation of this Act.

Also:

H. 1996. To repeal Act No. 2192, H. B. 2771, Regular Session 1971, (Acts 1971, p. 3507), entitled, "An Act To provide an expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act."

Also:

H. 1995. To repeal Act No. 145, H. 131, First Special Session 1971 (Acts 1971, p. 231), entitled, "An Act To provide for the election of a seven member City Board of Education for any city having a population of not less than 135,000 nor more than 180,000 according to the most recent federal decennial census; and to provide for the terms of its members."

Also:

H. 1994. Relating to Madison County; providing that the Judge of Probate shall collect certain fees for services rendered and that the fees so

collected shall be used to provide workmens' compensation benefits for all employees of the county.

Also:

H. 1993. To repeal Act No. 2283, S. B. 1221, Regular Session 1971, (Acts 1971, p. 3684), entitled "An Act To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be used to provide workmens' compensation benefits for all employees of such counties.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1970. To repeal Act No. 1488, S. 1083, Regular Session 1971, (Acts 1971, p. 2553), entitled, "An Act Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Also:

H. 1971. To repeal Act No. 202, S. 133, Third Special Session 1971, (Acts 1971, p. 4468), entitled, "An Act To amend Act No. 1392, H. 2307, 1971 Regular Session, creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate

the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof."

Also:

H. 1972. Relating to Madison County; creating and establishing a county-wide personnel system; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; and providing penalties for violation of any of the provisions of this Act.

Also:

H. 1973. To repeal Act No. 1391, H. 2306, Regular Session 1971 (Acts 1971, p. 2571), entitled "An Act Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law."

Also:

H. 1974. To repeal Act No. 1329, H. 2117, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000 according to the 1960 or any subsequent federal decennial census."

Also:

H. 1975. To repeal Act No. 1478, S. 1015, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census."

Also:

H. 1976. Relating to Madison County; providing further for the compensation of election officials.

Also:

H. 1977. To repeal Act No. 895, H. B. 1593, Regular Session 1971, (Acts 1971, p. 1659), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any such municipalities."

Also:

H. 1954. Relating to Madison County; prescribing the maximum amount of compensation allowable to members of jury commissions.

Also:

H. 1953. To repeal Act No. 1509, S. 1025, Regular Session 1971, (Acts 1971, p. 2594), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

Also:

H. 1952. To repeal Act No. 1328, H. 2116, Regular Session 1971, (Acts 1971, p. 2278), entitled, "An Act To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census."

Also:

H. 1951. To repeal Act No. 1330, H. 2118, Regular Session 1971, (Acts 1971, p. 2279), entitled, "An Act To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties."

Also:

H. 1950. Relating to the City of Huntsville in Madison County; providing for the election of a president and vice president of the city board of education.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1983. To repeal Act No. 897, H. B. 1595, Regular Session 1971 (Acts 1971, p. 3091), entitled, "An Act Providing for the collection of a fil-

all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

Also:

H. 1982. Relating to Madison County; providing for the collection of a filing fee on instruments, documents and papers filed for records in the Probate Judge's office; and further providing that the county governing body may impose an additional filing fee for the filing and recording of the enumerated instruments.

Also:

H. 1981. To repeal Act No. 1901, S. B. 1018, Regular Session 1971 (Acts 1971, p. 2091), entitled, "An Act Prohibiting for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

Also:

H. 1980. To repeal Act No. 1326, H. 2114, Regular Session 1971, (Act 1971, p. 2275), entitled, "An Act Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments."

Also:

H. 1979. To repeal Act No. 238, H. B. 581, Regular Session 1961, (Acts 1961, V. 1, p. 268), entitled, "An Act To provide that the judges of probate of all counties having a population of not less than 110,000 nor more than 160,000 according to the last or any subsequent federal decennial census, shall not collect fees for: (1) filing a claim against an estate and giving a receipt therefor, (2) attesting a satisfaction of a mortgage or vendor's lien, (3) approving, filing and recording an official bond, (4) filing and recording deeds or conveyances to the county, and (5) administering an affidavit."

Also:

H. 1978. To repeal Act No. 1305, H. B. 2093, Regular Session 1971, (Acts 1971, p. 2350), entitled, "An Act To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session, 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities."

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Also:

H. 2028. To provide that the provisions of Act No. 2234, S. 249, Regular Session 1971 (Acts 1971, p. 3592), which Act abolishes primary elections in all cities and towns having populations of less than 300,000 in Alabama, shall not apply to Etowah County.

Also:

H. 1275. Relating to all counties having a population of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census; providing an additional expense allowance for the county solicitor.

Also:

H. 1740. Relating to all counties having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census; providing for supernumerary sheriffs in said county; and fixing the qualifications, compensation, status and tenure of office for said officials.

Also:

H. 2025. To amend Section 2 of Act #535, S. 528, regular session, 1965 (Acts, 1965, v. 1, p. 787), an Act relating to the duties and compensations of members of the County Commission of Bullock County, so as to provide a mileage allowance for the members of such Commission.

Also:

H. 2057. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, to prohibit the discharge of litter, specifically bottles and cans, sewage and any other trash or debris into the waters of such counties; to provide for enforcement and penalties for violations of the provisions of this act.

Also:

H. 2066. To make it a misdemeanor to pick wild sea oats on the beaches of counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census.

Also:

H. 2006. To repeal Act No. 1489, S. B. 1084, Regular Session 1971 (Acts 1971, p. 2341), entitled, "An Act To regulate further the compensation of members of the county board or registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Also:

H. 2007. Relating to Madison County so as to further regulate the compensation of the members of the board of registrars; providing for payment of additional compensation from the county treasury.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 2005. To repeal Act No. 1390, H. B. 2305, Regular Session 1971 (Acts 1971, p. 2559), entitled, "An Act To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Also:

H. 2075. To provide for the payment of expense allowances to members of the Board of Registrars, Jury Commission, and Board of Equalization of any county having a population of not less than 50,000 nor more than 52,500 according to the last federal decennial census.

Also:

H. 2072. Applicable to any county having a population of not less than 55,500 nor more than 56,500 according to the last federal decennial census; to provide an additional compensation for the members of the board of registrars of such county.

Also:

H. 2050. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide that any such county having an Intermediate Court shall use the rules of civil procedure adopted by the Alabama Supreme Court in such Intermediate Court.

Also:

H. 1454. To authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than fifty-three (53,000) nor more than fifty-five (55,000) inhabitants according to the last or any subsequent Federal decennial census.

Also:

H. 1893. Relating to Houston County; to prevent nepotism in county service, prohibiting any officer or employee of the county or county agencies from appointing persons related to him to any office or position of profit with the county or any agency thereof, and prescribing penalties.

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Also:

H. 1894. Relating to Houston County; to provide for the compensation of the judge of probate in said county, and repealing conflicting laws.

Also:

H. 2022. Relating to Winston County; authorizing and requiring the Judge of Probate of said county to hold an election for the purpose of annexing certain territory to the city of Haleyville, and prescribing the conduct of such election.

Also:

H. 2040. To provide that any incorporated municipality in Perry County shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when nuisance; to provide for public hearings; to provide for special assessment constituting a lien on the property involved, and for the collection of such assessments.

Also:

H. 1920. Relating to counties having populations of not less than 54,500 nor more than 56,000 according to the most recent or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the probate judge to the tax collector; relieving the probate judge of such duties; and repealing conflicting Acts.

Also:

H. 1874. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Also:

H. 442. To further amend Section 2 of Act No. 287, H. 193, First Special Session 1965 (Acts 1965, p. 395), which section relates to the compensation of members of the board of commissioners in cities having populations of not less than 175,000 nor more than 275,000 inhabitants, according to the last federal decennial census, so as to increase the compensation of said members.

Also:

H. 1986. To repeal Act No. 1883, S. 1014, Regular Session 1971, (Acts 1971, p. 3064), entitled, "An Act To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases."

Also:

H. 1985. Relating to the City of Huntsville; providing that the city board of education shall adopt written policies with regard to education; providing the manner in which such policies shall be adopted; providing that such written policies shall be made available to all teachers employed by the board; and providing that such written policies and written amendments thereto shall be filed with the city superintendent of education.

Also:

H. 1984. To repeal Act No. 43, H. 72, Second Special Session 1971, (Acts 1971, p. 4180), entitled, "An Act To provide that the city board of education in all municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census, shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the city superintendent of education."

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 2008. To repeal Act No. 1332, H. B. 2120, Regular Session 1971 (Acts 1971, p. 2281), entitled, "An Act Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

Also:

H. 2009. To repeal Act No. 1475, S. B. 1011, Regular Session 1971 (Acts 1971, p. 2516), entitled, "An Act Relating to registration of voters, providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government."

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Also:

H. 2010. Relating to Madison County; pertaining to the registration of voters; providing for meeting days of the board of registrars; and providing for clerical assistants to be furnished to the board by county and city government.

Also:

H. 2011. To repeal Act No. 1877, H. 2112, Regular Session 1971 (Acts 1971, p. 3056), entitled, "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

Also:

H. 2012. To repeal Act No. 1902, S. 1020, Regular Session 1971, (Acts 1971, p. 3093), entitled "An Act To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters."

Also:

H. 2013. To repeal Act No. 1310, H. 2124, Regular Session 1971, (Acts 1971, p. 2258), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein."

Also:

H. 2014. To repeal Act No. 2490, S. 1016, Regular Session 1971 (Acts 1971, p. 3896), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein."

Also:

H. 2015. Relating to Madison County and the City of Huntsville; further regulating the sale of alcoholic beverages therein.

Also:

H. 2016. To repeal Act No. 1701, H. B. 2498, Regular Session 1971 (Acts 1971, p. 2859), entitled "An Act To authorize counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the most recent federal decennial census; to require building permits for any structures erected in said county; to authorize and provide a means to implement the provisions of said Act; to authorize funds necessary to implement this procedure."

Also:

H. 2017. Relating to Madison County; requiring building permits for any structures erected in said county; authorizing and providing means to implement the provisions of said Act; and authorizing funds necessary to implement this procedure.

Also:

H. 2018. To repeal Act No. 680, H. B. 954, Regular Session 1967, (Acts 1967, v. II, p. 1507), entitled, "An Act To fix the compensation of the judge of the county court in any county having a population of not less than 170,000 nor more than 300,000 according to the last or any succeeding federal census."

Also:

H. 2019. Relating to Madison County; fixing the compensation of the judge of the county court.

Also:

H. 2020. To repeal Act No. 24, H. 160, First Special Session 1964, (Acts 1964, p. 45), entitled, "An Act To apply in all counties having a population of not less than 110,000 nor more than 160,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town in any such county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining the approval of the Superintendent of Banks."

Also:

H. 2001. To repeal Act No. 1491, S. 1087, Regular Session 1971, (Acts 1971, p. 2569), entitled "An Act To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties."

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

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H. 1930. Relating to Madison County; providing that the Family Court Division of the Circuit Court shall collect a filing fee for the filing of juvenile cases in such court and providing further the judges of such court may assess a fine against juveniles for the violation of law and providing for the disposition of such cost and fine.

Also:

H. 1931. To repeal Act No. 1199, H. 2111, Regular Session 1971, (Acts 1971, p. 2078), entitled, "An Act Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations."

Also:

H. 1932. Relating to Madison County; prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations of any of the provisions of this Act.

Also:

H. 1933. To repeal Act No. 1479, S. 1019, Regular Session 1971, (Acts 1971, p. 2535), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles in such counties and cities."

Also:

H. 1934. To repeal Act No. 1333, H. 2121, Regular Session 1971, (Acts 1971, p. 2282), entitled, "An Act Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities."

Also:

H. 1935. Relating to Madison County and the City of Huntsville in Madison County; providing for the maintenance, management and operation of places of detention for juveniles.

Also:

H. 1936. To repeal Act No. 1327, H. B. 2115, Regular Session 1971, (Acts 1971, p. 2277), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

Also:

H. 1937. To repeal Act No. 1884, S. B. 1021, Regular Session 1971, (Act 1971, p. 3068), entitled, "An Act To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks, which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in."

Also:

H. 1938. Relating to Madison County and the Twenty-Third Judicial Circuit; providing for placing in the general fund of the county all surplus funds given to the District Attorney's office in the circuit by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in which such funds were paid in.

Also:

H. 1939. To repeal Act No. 1389, H. 2304, Regular Session 1971 (Acts 1971, p. 2340), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census."

Also:

H. 1940. To repeal Act No. 1492, S. 1088, Regular Session 1971, (Acts 1971, p. 2570), entitled, "An Act To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census."

Also:

H. 2021. Relating to Madison County and any city or town located therein; providing that any bank having a combined capital and surplus of one hundred thousand dollars or more, and having an authorized office or place of business in any city or town located in the county, to establish, maintain, and operate additional offices or places of business in such county, upon obtaining approval of the State Superintendent of Banks.

Also:

H. 2003. To repeal Act No. 2225, H. 2689, Regular Session 1971 (Acts 1971, p. 3579), entitled "An Act To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census."

Also:

H. 2004. Relating to Madison County; regulating the costs and fees in the county courts.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1081. To fix the compensation or salary of the Treasurer of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 111. Relating to counties having a population in excess of 600,000 inhabitants; providing that automotive parts businesses, antique dealers, flea markets, gift shops, and shops operated at hospitals, public parks, public airports, public auditoriums and civic centers or bowling alleys in such counties may operate on Sunday.

Also:

H. 644. To amend Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended relating to courts of General Sessions of Mobile.

Also:

H. 1061. To provide salary increases for certain state employees; and to appropriate funds therefor.

Also:

H. 1049. To fix the compensation or salaries of Circuit Clerk in Counties of 600,000 inhabitants or more, according to the last or any subsequent Federal Census.

Also:

H. 635. To amend Title 13, Section 199(2), Code of Alabama, 1940, (Recompiled 1958), as last amended, fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Also:

H. 639. To fix the compensation of the deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more according to the last or any subsequent census, and provide for payment thereof.

Also:

H. 2030. Relating to Hale County; providing for the election and tenure of the members of the county board of education.

Also:

H. 1128. To provide for official Secretary-Court Reporters in all Probate Courts in all counties of the State of Alabama having a population of not less than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such Secretary-Court Reporters; and to provide for the appointment of such Secretary-Court Reporters by each Probate Judge in such counties and to provide for the compensation and salary of such Secretary-Court Reporters; and to abolish Bills of Exceptions in such courts, and to provide that the provisions of Act No. 461, H. 76, Regular Session 1943, (Acts 1943, p. 423) shall apply to and govern procedures in such courts.

Also:

H. 1526. Relating to all counties having a population of not less than 300,000 nor more than 600,000, according to the most recent decennial census; providing for the compensation of the members of the governing body of said counties.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions introduced on the thirty-third legislative were read by title pursuant to Joint Rule 12:

H. J. R. 243. COMMENDING THE MADISON COUNTY LOCAL GOVERNMENT STUDY COMMISSION.

H. J. R. 244. MOURNING THE DEATH OF WILLIAM WHITT CARDWELL.

H. J. R. 245. MOURNING THE DEATH OF JUDGE EMMET FRANKLIN.

H. J. R. 246. COMMENDING PROFESSOR GEORGE W. HARGREAVES

On motion of Mr. McCorquodale, the resolutions were adopted en masse.

REPORT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL 1300

We, the Committee of Conference appointed to reconcile the disagreement between the two houses concerning the Senate's amendment to H. B. 1300 have met, considered the bill as amended, and have agreed to the following report:

1. We recommend that the Senate recede from its amendment to the bill.
2. We recommend that the bill be amended as follows and then passed by both houses.

Amendment to H. B. 1300.

Amend H. B. 1300, Section 1, by striking the words "Said deputy commissioner shall be paid an annual compensation of one thousand (\$1,000) less than" and inserting in lieu thereof the following: "Said deputy commissioner shall be paid an annual compensation equal to 80 percent of".

Respectfully submitted,

JOHN L. CULVER,
TIM PARKER,
EDWARD D. ROBERTSON,
Conferees on the part of the House.

RICHARD C. SHELBY,
L. D. OWEN, JR.,
OBIE LITTLETON,
Conferees on the part of the Senate.

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Parker, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 1300, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Grainger	McBride
Adams	Connell	Gray (F)	McCluskey
Adwell	Coshatt	Grey (D)	McDonald
Agee	Crawford	Hardin	McMillan
Bank	Cross	Hearn	McNair
Barron	Culver	Hill	Manley
Benton	Doss	Hughes	May
Brassell	Edwards	Jackson	Mims
Carnes	Erdreich	King	Naramore
Carter	Falkenburg	Kinsey	Nettles
Casey	Fite	Lang	Parker
Cauthen	Flippo	Lutz	Perloff

Porter
Pruitt
Robertson
Smith (K)

Smith (P)
Snell
Stewart
Stokes

Therrell
Timmons
Waggoner
Waldrop

Warren
Williams
Wise
Wood

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And the bill:

H. 1300. To amend Section 4 of Act No. 1292, H. 1795, Regular Session, (Acts 1971, p. 2220) providing for the office of commissioner and deputy commissioner of licenses in counties having a population of not less than one hundred fifteen thousand and not more than one hundred fifty thousand according to the last or any subsequent decennial federal census, so as to provide for the establishment of the deputy commissioner's salary, require such commissioner to be bonded, and take an oath of office.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Bank
Barron
Benton
Carnes
Carter
Casey
Chesnut
Connell
Crawford
Cross
Culver
Downing

Edwards
Erdreich
Falkenburg
Fite
Flippo
Grainger
Gray (F)
Grey (D)
Hearn
Hill
Hughes
Jackson
Jones (F)
King
Kinsey

Lang
Lutz
McBride
McCluskey
McDonald
McMillan
McNair
Manley
May
Mims
Naramore
Nettles
Parker
Perloff
Porter

Pruitt
Robertson
Smith (K)
Smith (P)
Snell
Stewart
Stokes
Therrell
Timmons
Waggoner
Waldrop
Warren
Williams
Wise
Wood

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RESOLUTIONS

The following resolutions were introduced:

By Mr. Kinsey:

H. J. R. 248. COMMENDING JOHN B. HADLEY FOR HIS CONTRIBUTIONS AND DEDICATED SERVICE TO BALDWIN COUNTY.

WHEREAS, John B. Hadley served on the Baldwin County Commission for more than thirteen years (1959 to 1972). He had the unique honor of serving as Chairman of the Board during his entire tenure of office and participated in many important accomplishments which brought great benefits to Baldwin County; and

WHEREAS, this brilliant statesman was responsible for the allocation of funds for the additions to Foley and Fairhope hospitals and for building Bay Minette Hospital. He was instrumental in helping to develop the resources of the county allowing annual contributions to three Chambers of Commerce and the Gulf Shores Tourist Association; and

WHEREAS, he realized the importance of a highway system for the betterment and progress of Baldwin County. Through his many professional contacts he was able to convince the State to take over the maintenance of certain county roads. During his tenure of office approximately 450 miles of farm to market roads were built in the county and a bridge was built at Muscogee connecting Baldwin County with Escambia County, Florida; and

WHEREAS, John B. Hadley always displayed a deep sensitivity toward his fellow human beings. He helped establish the Baldwin County Satellite Mental Health Unit at Fairhope and made contributions to the County Library Board to enable them to purchase a new Bookmobile. Striving to protect the citizens of that area he was instrumental in establishing the Baldwin County Civil Defense Department and the hiring of a full time Director to handle the duties of said Department; and

WHEREAS, his many esteemed honors include election as President of the Alabama Association of County Commissioners. A far-sighted individual he was instrumental in bringing to Gulf Shores several conventions which aided in the economy of the County; and

WHEREAS, John B. Hadley is a true southern gentleman, and a genuine statesman, whose advice and counsel is sought by people in all walks of life. He has conducted his life in such a manner that has not only brought honor to himself but to his native state as well; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we pay tribute to a great Alabamian, John B. Hadley, as a member of those great men who dedicate their lives to the betterment of mankind. We commend him for the service he has given to the citizens of this State and Baldwin County and wish him much success in his future endeavors.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to John B. Hadley.

On motion of Mr. Kinsey, the rules were suspended and the resolution, H. J. R. 248, was adopted.

Also:

By Messrs. Bank, Parker and Robertson:

H. J. R. 249. DESIGNATING THE STREET WHICH COMMENCES AT THE POINT WHERE NINTH STREET AND FIFTEENTH STREET COMBINE AND RUNS TO THE TUSCALOOSA COUNTY LINE THE "CULVER ROAD".

WHEREAS John Culver has contributed immeasurably to the well-being of the people of Tuscaloosa County during his two terms in the State Legislature. Mr. Culver's efforts were most instrumental in securing important highway developments in the county; and

WHEREAS this legislature feels that it should pay tribute to the works of John Culver for he has shown himself to be a member of that great body of good men who dedicate their lives to public service and the betterment of mankind; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we pay tribute to the works of

John Culver of Tuscaloosa County and hereby designate that the street in the City of Tuscaloosa that commences where Ninth Street and Fifteenth Street combine and runs to the county line which heretofore has been commonly known as the "Eutaw Highway" shall hereafter be known as the "Culver Road."

BE IT FURTHER RESOLVED, That the Director of the State Highway Department shall be required to erect distinctive and appropriate signs designating said street the "Culver Road."

On motion of Mr. Bank, the rules were suspended and the resolution, H. J. R. 249, was adopted.

Also:

By Mr. McCorquodale:

H. J. R. 250. URGING ALABAMA EDUCATORS TO PROVIDE AN OPPORTUNITY FOR STUDENTS TO BEGIN LEARNING THE UNIVERSAL METRIC SYSTEM OF MEASUREMENT EXPECTED TO BE ADOPTED OFFICIALLY IN THE UNITED STATES IN THE NEAR FUTURE.

WHEREAS, Alabama is one of the nation's fastest growing industrial states, and;

WHEREAS, the United States of America is the only major industrial nation in the world that has not officially adopted the universal metric system as the principal system of measurement, and;

WHEREAS, Alabama and the United States are penalized in commercial transactions with other world powers because of restrictive industrial standards favoring the 90 per cent of the world's people living in nations using the metric system, and;

WHEREAS, the adoption of the metric system by the United States is but a matter of time and legislation is now pending in Congress to make this official, and;

WHEREAS, the metric system would aid the educational process of our state by simplifying the teaching of mathematics, thereby making it easier for students to learn math and mathematics related subjects, and;

WHEREAS, the Alabama Education Association, the National Education Association, and other influential education organizations support the proposal that all students be provided an opportunity to learn the metric system, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they call upon the State Board of Education in cooperation with the State Superintendent of Education and the State Department of Education, to initiate programs at the earliest practicable opportunity to prepare Alabama's public schools and post secondary institutions to incorporate the metric system into the curriculum of our schools; and be it further

RESOLVED, the copies of this resolution be transmitted to members of the State Board of Education, the State Superintendent of Education, superintendents of city and county boards of education, presidents of post secondary

institutions, members of the Alabama Education Study Commission and its staff, members of the Alabama Commission on Higher Education and its staff, and other concerned educational agencies in our state.

On motion of Mr. McCorquodale, the rules were suspended and the resolution, H. J. R. 250, was adopted.

Also:

By Messrs. Smith (P), Doss, Connell, Barkett, Drake, Mims, Hobbie, Wallace, Cross, Porter, Perloff, Callahan, Warren, Agee, Chesnut, Wise, Benton, Hardin, Culver, Timmons, McNair, Erdreich, McMillan, Edwards, Lang, Naramore, Grainger, Carter, Lyons, Roberts and Smith (K):

H. J. R. 251. WHEREAS, cattle rustling has reached alarming proportions in Alabama and is increasing at a rapid rate, causing some communities to become armed camps, and spreading fear and threats of economic disaster to many state cattlemen; and,

WHEREAS, enforcement officers in the Department of Conservation and Natural Resources are in a singular position to help other law enforcement officers prevent cattle rustling and prosecute offenders; and,

WHEREAS, some conservation officers already are assisting in the fight against cattle rustling on an informal, local basis, such assistant being of great value;

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That, we urge the Alabama Department of Conservation and Natural Resources to institute a formal, state-wide program through its enforcement officers of cooperating in the fight to prevent cattle rustling.

On motion of Mr. Smith (P), the rules were suspended and the resolution, H. J. R. 251, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 76. To amend Code of Alabama 1940, Title 51, Sections 879 and 882, so as to withdraw and take away from the director of revenue of Jefferson County all duties, liabilities and responsibilities relative to the issuance, recording and reporting of marriage licenses, and to place such duties, liabilities and responsibilities on the probate judge of such county; and to provide for the transfer of marriage license records from the director of revenue of Jefferson County to the probate judge of such county.

Also:

S. 694. To empower industrial development boards organized (under the provisions of Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended) in any municipality located (in whole

or in part) in any county having a population of 600,000 or more, according to the last or any subsequent Federal decennial census, to acquire (by construction or otherwise), enlarge, improve, replace, own, lease, dispose of and grant options for the purchase of facilities and properties (whether real or personal or both) designed or suitable for use both as data processing and computer centers and as national or regional headquarters for the business or businesses owning or operating such data processing centers.

Also:

S. 704. Relating to DeKalb County; fixing the salaries of Judge of Probate Court, Circuit Clerk, Tax Assessor, Tax Collector and Judge of Inferior Court, and to provide payment of such salaries; and providing for a referendum thereon.

Also:

S. 803. Proposing an amendment to the Constitution of Alabama authorizing the levy and collection of a special property tax and the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas, and other recreational purposes.

Also:

S. 804. To require the county commission or like governing body of Tuscaloosa County to call an election to determine the sentiment of the voters of the county: (1) relative to levying additional ad valorem tax for developing parks and multi-recreation areas or facilities, as authorized by the amendment to the Constitution of 1901 proposed by an Act of the 1973 Regular Session, and (2) relative to the incurring of a debt and the issuance of bonds as authorized in such amendment.

Also:

S. 809. To amend Section 1 of Act No. 1737, H. 2566, Regular Session 1971 (Acts 1971, p. 2902), entitled: "An Act to alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands herein after described," so as to correct certain discrepancies in the description of the boundary lines.

Also:

S. 810. To amend Section 8 of Act No. 1286, H. 1694, Regular Session 1971, approved September 17, 1971, which Act established a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000, by increasing the maximum annual compensation allowed to secretarial, stenographic and clerical assistants and providing for the positions of Investigators for the Public Defender Office and setting the maximum annual compensation therefor.

Also:

S. 812. Relating to Tuscaloosa County; to increase the number of appointed members of the Tuscaloosa City Board of Education from five to seven.

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Also:

S. 816. Applicable to Conecuh County; to provide that no claim presented to the Conecuh County Commission need be sworn to and that no testimony need be presented as to whether any part of such claim having been previously paid.

Also:

S. 822. Relating to all counties having populations of not less than 16,350 nor more than 16,650, providing an allowance for secretarial assistance for the register in equity under certain conditions.

Also:

S. 830. To amend Act No. 61, S. 151, Regular Session 1971 (Acts 1971, p. 324), which act creates the Etowah County Solid Waste and Park and Recreation Authority, so as to remove the state senator from Etowah County from membership of such Authority at the end of current term of office of said senator.

Also:

S. 807. To amend Section 1 of Act No. 37, H. 66 Organizational, Special and Regular Sessions 1971 (Acts 1971, p. 4170) as amended which applies in Shelby County, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

Also:

S. 400. Relating to Morgan County; to declare the public policy with respect to Sunday business activities; to allow the county and municipal governing bodies to adopt rules and regulations and prescribe penalties for Sunday business activities.

Also:

S. J. R. 32. NAMING CERTAIN ROADS AND HIGHWAYS IN TUSCALOOSA AND JEFFERSON COUNTIES "THE TANNEHILL TRAIL"

Also:

S. J. R. 91. HONORING JOHN SYDNEY COOK, III.

Also:

S. J. R. 92. COMMENDING PAUL DAVIS FOR HIS OUTSTANDING WORK IN THE FIELD OF JOURNALISM.

Also:

S. J. R. 100. COMMENDING MISS GLADYS MARONA FOR A JOB WELL DONE.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF COMMITTEE ON CONFERENCE
ON HOUSE BILL 1852

We, the committee of conference appointed to reconcile the differences between the two houses concerning the bill, H. B. 1852, have met and considered the matter referred and beg leave to report as follows:

Substitute House Bill 1852 is attached.

CONFEREES ON THE PART OF THE HOUSE:

CHRISS DOSS
ROBERT (BOB) ELLIS
HUGH BOLES

CONFEREES ON THE PART OF THE SENATE:

EDDIE HUBERT GILMORE
JOHN HAWKINS
GEORGE LEWIS BAILES

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation to be paid the Deputy District Attorney who is elected by the people in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Be It Enacted by the Legislature of Alabama:

Section 1. In each county of the State of Alabama, having a population of six hundred thousand or more according to the last or any succeeding decennial federal census, there shall be paid to the Deputy District Attorney, who is elected by the people, of each said county from the general treasury of the county in equal bi-monthly installments such an annual salary as that when added to the annual salary payable by the State of Alabama to each such Deputy District Attorney, the same will make the total annual salary of each such Deputy District Attorney \$4,000.00 per year less than the Circuit Judges of the Tenth Judicial Circuit are now or may hereafter be paid, said pay shall become effective on the first Monday after the second Tuesday of January, 1975, being the beginning of the next term of said Deputy District Attorney.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

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Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Boles, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 1852, said report being set out in the above and foregoing report of the Committee on Conference.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hill	Porter
Adwell	Cross	Hughes	Pruitt
Agee	Crowe	Jackson	Reynolds
Barkett	Doss	King	Smith (K)
Barron	Drake	Lutz	Smith (P)
Benton	Easters	McCluskey	Stokes
Boles	Edwards	McMillan	Timmons
Bowers	Erdreich	Manley	Waggoner
Brassell	Falkenburg	Mathews	Waldrop
Carnes	Fite	May	Wallace
Carter	Goodwin	Meeks	Weeks
Chesnut	Grainger	Merrill	Wise
Connell	Hardin	Naramore	Wynot
Cottingham			

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1852:

To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

As thus amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cottingham	Erdreich
Adwell	Brassell	Crawford	Falkenburg
Agee	Burgess	Cross	Fite
Barkett	Carnes	Doss	Goodwin
Barron	Carter	Drake	Grainger
Benton	Chesnut	Easters	Hardin
Boles	Connell	Edwards	Hill

Hughes	Mathews	Pruitt	Timmons
Jackson	May	Reynolds	Waggoner
King	Meeks	Roberts	Waldrop
Lutz	Merrill	St. John	Wallace
McCluskey	Naramore	Smith (K)	Weeks
McDonald	Nettles	Smith (P)	Wise
McMillan	Owens	Stewart	Wynot
Manley	Porter	Stokes	

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 619. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959, (Ala. Acts, 1959, p. 1376) as amended by Act No. 991 of the Regular Session of the Legislature of Alabama of 1971, approved September 7, 1971 (Ala. Acts, 1971, p. 1783), and amended by Act No. 1576 of the Regular Session of the Legislature of Alabama of 1971, approved September 17, 1971 (Ala. Acts, 1971 p. 2692), which Act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts 1951, p. 1579) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the latest or any subsequent federal census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Doss, the House non-concurred in the Senate amendment to the bill, H. 619, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To further amend Subsection (a) of Section 4 of Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959, (Ala. Acts, 1959, p. 1376 et seq.) as heretofore amended, which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579 et seq.) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the last or any subsequent federal census.

Be It Enacted by the Legislature of Alabama:

Section 1. That Subsection (a) of Section 4 of Act No. 556, of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Ala. Acts, 1959, p. 1376) as heretofore amended, be and the same is hereby amended to read as follows:

"Section 4. (a) Board of Managers. There shall be a Board of Managers of three members for the administration, management and control of the Supplemental Pension System, including administration, management, control, acquisition and disbursement of the fund. The Board shall consist of the President of the governing body of the city, who shall be Chairman of the Board, and two associate members, designated respectively as 'Member No. 1' and 'Member No. 2' ". Member No. 1 shall be appointed by the Personnel Board. Member No. 1 shall be a person who at the time of his appointment is, and for a period of five consecutive years immediately preceding his appointment has been, an officer of, or the occupant of an executive position with, an insurance company issuing annuity policies and policies of disability insurance, the principal place of business of which insurance company is located within the city; provided, however, that if any such person is not available, the Personnel Board in appointing Member No. 1 shall select from the persons available that person who in the opinion of the Personnel Board is best qualified to discharge the duties of a member of the Board of Managers. Member No. 2 shall be elected from employees belonging to the Supplemental Pension System at an election to be held within sixty days from the date on which this Act becomes effective. The employee receiving a plurality of votes at the election shall be elected. At the first election to be held hereunder employees belonging to the System may vote for a fireman or policeman to hold the position to be occupied by Member No. 2 on the Board. In any election subsequent to the first election employees voting in such subsequent election shall not vote for any member of the System belonging to the same department (that is fire department or police department; as the case may be) to which the person last elected Member No. 2 for a full term belonged at the time of his election. The purpose of the next preceding sentence is to rotate Member No. 2 between the fire department and the police department of the city. The governing body of the city shall have the authority to prescribe rules and regulations concerning the notice of and conduct of the election to select Member No. 2. Member No. 1 and Member No. 2 shall hold office for a period of four years, with the first term for both commencing on the date on which the first Member No. 1 and the first Member No. 2 have both been selected.

If the commencement of the actual operation of the system hereby established is delayed, or deferred, as a consequence of the validity of this Act being called in to question in litigation the four year terms of Member No. 1 and Member No. 2 shall not be deemed to begin until the litigation is terminated.

The Board shall meet on the second Thursday in each calendar month; provided, however, that the Board shall not be required to meet unless there is pending before the Board some application for a pension, relief or benefit or unless there is pending some other matter requiring consideration by the Board; and provided, further, that the Board by and through a resolution adopted by it may change the regular meetings from Thursday to such other time as may be convenient to the Board. Any two members of the Board, after due notice having been given to all members of the Board, may meet in special meeting and transact any business of the Board provided the Secretary shall be present and record the proceeding of the special meeting as hereinafter provided. The Board shall meet in the office of the Chairman, or such other place as the Board may designate."

The personnel director shall be secretary of the Board and shall be present at every meeting of the Board, and keep a record of all proceedings of the

Board and of all orders and decisions of the Board. Neither the secretary nor any member of the Board shall receive any salary or compensation for his services as such except Member No. 1, who shall receive ten dollars for each meeting attended, but not more than twenty dollars for meetings attended in any calendar month. Two members of the Board, when assembled in either regular or special meeting, shall constitute a quorum for the transaction of any and all business of the Board, and the affirmative vote of two members shall be necessary and sufficient to pass any motion or resolution. The Board is empowered to make rules and regulations not inconsistent with the provisions of the system in relation to its affairs and the system. The Board shall receive, investigate and pass upon all applications for retirement and disability and widow allowances and shall make retirement and disability and widow allowances in accordance with the system to all persons entitled thereto under the system, and its decision upon all matters of fact shall be final and conclusive unless it shall be affirmatively made to appear that its decision is plainly and manifestly wrong. The Board is authorized to borrow money up to the par value of the securities of the fund and to pledge such securities for repayment of the money borrowed. No money of the fund shall be invested, paid out or disbursed except pursuant to order or authorization of the Board. The Board shall be trustee, and have entire management and control of the fund, shall have sole and exclusive authority to invest its funds, and shall direct investment of monies of the fund not needed to meet disbursements provided for in this Act in the loans to members hereinafter referred to and in bonds of the United States, the State of Alabama and any municipality of Alabama, and in bonds of corporations organized under Federal laws or under the laws of any State of the United States; provided, however, that no funds shall be invested in bonds, or common or preferred stocks and stocks of private corporations unless such bonds are listed upon exchanges subject to the jurisdiction of the **Securities and Exchange Commission, and the aggregate par value** of the funds invested in such bonds or common or preferred stocks and stocks of corporations last referred to above shall not exceed fifty (50%) per cent of the par value of all investments of the fund exclusive of loans to members. In addition to methods of removal hereinabove provided for, any member of the Board may be removed by impeachment for corruption or malfeasance or misfeasance in office or habitual neglect of duty. From the fund of the system created by this Act the Board of Managers shall pay to the fund of the General Retirement and Relief System the amounts hereinafter specified. When any fireman or policeman retires on length of service, as is hereinafter provided for in Section 8, the Board of Managers of this system shall pay from the fund of this system the amount specified in the next succeeding sentence during each month between the date on which such fireman or policeman retired and the date on which he would have been entitled to receive a retirement allowance from the General Retirement and Relief System for thirty years service had he not retired, but had continued to serve without interruption as a member of the General Retirement and Relief System until entitled to receive from said last named system a retirement pension based on thirty years service. During the period specified in the next preceding sentence the Board of Managers created by this Act shall pay each month to the fund of the said General Retirement and Relief System the amount which the City would have deducted from the salary of such fireman or policeman and would have paid into the fund of the General Retirement and Relief System had such fireman or policeman continued to be employed by the City during the period specified in the next preceding sentence at the same salary from which the deductions were made by the City at the time he retired under Sec-

tion 8 of this Act; provided, however, that if such fireman or policeman dies during the said period the same payments shall cease upon his death.

At least sixty days prior to the convening of the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to each member of the House of Representatives and of the Senate of the Legislature of Alabama residing in any county or Senatorial District wherein there is established any pension system provided for by this Act the report and survey of a competent actuary stating his opinion as to the ability of the funds and resources of the said system to meet the benefits provided, which said report or survey shall consider the cost of each of the said benefits separately and severally. If the actuary concludes that any reduction in benefits is necessary in order to assure the solvency of the fund, then in his report he shall include his recommendations as to what reductions should be made, to the end that the said Board may make such reductions in benefits as may be required to assure the solvency of the said fund. It is expressly provided that no claim for any benefit provided for by this Act shall be an obligation against the city, or the General Retirement and Relief System, it being the intention and purpose of this Act that the only funds out of which the benefits provided for by this Act will be paid shall be the fund of this pension system which said system is established upon the petition of the firemen and policemen belonging to the said system, with the express understanding on their part that the firemen and policemen and the dependents of firemen and policemen claiming benefits hereunder shall look only to the fund hereby created for the payment of benefits provided and with the full understanding upon the part of said firemen and policemen that the benefits provided for hereby will be reduced if reduction thereof is required in order to assure the solvency of the said fund. The said actuarial report of survey shall contain the opinion of the said actuary as to whether he considers any change in the benefits necessary in order to assure solvency of the fund, and if so, what change or changes he considers necessary. After the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to the members of the House of Representatives and the Senate designated above a similar actuarial report or survey at least once every four years sixty days prior to the convening of a Regular Session of the Legislature of Alabama. The Board of Managers shall have authority to secure other actuarial studies, investigations and reports at such other times as may seem proper to the Board. From the fund of the system the Board of Managers shall pay the cost of securing any such actuarial reports, surveys or investigations."

Section 2. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

Yeas 48; Nays 0.

Yeas:

Mr. Speaker	Casey	Erdreich	Jackson
Adams	Chesnut	Falkenburg	King
Bank	Connell	Fite	Lutz
Barkett	Crawford	Grainger	McMillan
Barron	Cross	Gray (F)	Manley
Benton	Doss	Grey (D)	May
Boles	Downing	Headley	Merrill
Carnes	Drake	Hill	Naramore
Carter	Easters	Hughes	Nettles

Owens
Porter
Reed (T)

Reid (R)
Roberts
Robertson

Stubbs
Waldrop
Wallace

Wise
Wood
Wynot

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

On motion of Mr. Doss, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 619.

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. Timmons, Falkenburg and Doss.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 620. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.) entitled as amended "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the most recent federal decennial census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority to any county in which any such city may be located."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Doss, the House non-concurred in the Senate amendment to the bill, H. 620, said Senate amendment being as follows:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.) entitled as amended "An act to create or provide in or for each and every city of the State of Alabama having a population of

two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Be It Enacted by the Legislature of Alabama:

Section 1. That Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.) entitled as amended: "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969 to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located," be and said Act is hereby amended to read as follows:

ARTICLE I

ESTABLISHMENT OF PLAN

Section 1. Derivation and application. The provisions of this act are derived in part from one or more of Act No. 24 of the extra session of the legislature of 1936-1937, approved January 26, 1937 (Acts of 1936-37, page 20); Act No. 512 of the regular session of the legislature of 1939, approved September 21, 1939 (Acts 1939, page 795); Subdivision 10 of Article 16 of Chapter 4 of Title 62 of the 1940 Code of Alabama (Title 62, page 322); Act No. 334 of the regular session of the legislature of 1945, approved July 6, 1945 (Loc. Acts 1945, page 144); Act No. 237 of the regular session of the legislature of 1947, approved August 4, 1947 (Loc. Acts 1947, page 144); and Act No. 470 of the regular session of the legislature of 1949, approved August 25, 1949; but nothing in the derivation of provisions of this act or in the above statement of derivation shall be construed to render this act other than an act original in form. This act shall apply to cities which have a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census, and shall not apply to any city of a lesser population according to such census.

Section 2. Retrospective Operation. The articles and sections of this act comprise a retirement and relief system for officers and employees of each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census, and, subject to the provisos hereinafter in this section contained, said articles and sections comprising such system for such officers and employees of each such city, shall be read, construed and have retrospective operation and effect as though enacted on the 26th day of January, 1937. Consistently, and subject to said provisos, every act, proceeding and transaction heretofore had, done, accomplished or attempted under or under color of any statute described in Section 1 shall be construed and deemed an act had, done, accomplished or attempted under the system, and the validity and effect thereof so measured and governed, and without limiting the generality of the foregoing, but still subject to said provisos, every contribution, return of contributions, refund, loan, investment, receipt, disbursement, debt, liability, contract, transaction and business to, from, of, with or affecting the pension and relief fund under any statute described in Section 1 or color thereof shall be construed and deemed as a contribution, return of contribution, refund, loan, investment, receipt, disbursement, debt, liability, contract, transaction or business to, from, of, with or affecting the retirement and relief fund under the system. The foregoing provisions of this section shall be subject to the following provisos: (a) Any sentence of the system which contains the phrase "September 19, 1939" shall be read, construed and have operation and effect as though enacted for the first time on September 19, 1939. (b) Any sentence of the system which contains the phrase "July 1, 1945," shall be read, construed and have operation and effect as though enacted for the first time at July 1, 1945. (c) The legal effect of any payment heretofore made by any **pension and relief or retirement and relief fund** referred to in this act shall be measured by the law as it actually existed at the time of such payment, and any debt or liability, whether for return of contributions or otherwise, discharged by any such payment shall not be revived by anything contained in the system and shall not constitute the basis of any claim under the system against the retirement and relief fund provided for in this act. (d) The rights of any person who shall retire hereafter or who shall have retired heretofore from the service of his municipal employer, either voluntarily or involuntarily, and who shall be or shall have been allowed retirement benefits under the statute or system actually in existence at the time of such retirement shall, during continuance of such retirement, continue to be measured and governed by the terms of the statute or the system so in existence at the time of such retirement, and should such person die during continuance of such retirement the rights of any widow of such person shall be measured and governed by the terms of the statute or of the system in effect at the time of death of such person, and the retirement and relief fund provided as a part of the system shall secure such rights of such person and such widow. (e). Except as otherwise expressly provided in this section or in the system, the rights of any person who may or may have become separated from the service, and the rights of any privies of such person, shall be measured and governed by the statutes or of the system in effect at the time of such separation.

Section 3. Purpose of the System. The general purpose of the system embraced in the articles and sections of this act is the governmental one of promoting efficiency of employees in the service by partially relieving their minds of harassing fear of the consequences of loss of employment through disability, old age and otherwise and by furnishing trained employees a par-

tial incentive to remain in the service during their years of presumptively increasing efficiency and a partial incentive to voluntarily retire and be replaced during their years of presumptively declining efficiency.

ARTICLE II
DEFINITIONS

Section 1. DEFINITIONS. The following words, terms and phrases, wherever used in this Act, including this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

"The City." This term shall mean and have reference to each such city, separately, as may have a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census.

"The Board of Health." The county board of health whose territorial jurisdiction includes the territory of the city.

"The system." The system provided by and comprised within the articles and sections of this Act, and such system shall be the system applicable in and for each such city, individually, as may have a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census.

"Date of establishment." Date of establishment of the system for a city. The date of establishment of the system for each city which has a population of two hundred and fifty thousand or more inhabitants according to the federal census next preceding the passage of this Act shall be deemed September 1, 1937. The date of establishment of the system for each such city as does not have a population of two hundred and fifty thousand or more inhabitants according to the federal census next preceding the passage of this Act, but which may have such a population according to any federal census succeeding the passage of this Act, shall be deemed the date upon which such city first reaches such population according to such succeeding federal census.

"The fund." The retirement and relief fund provided for as a part of the system, and shall include assets in the form of money and in other forms.

"Employer." The City.

"Employee." A person between whom and the city there exists the technical relationship of employer and employee, whether such person be employed through the principal governing body of the city or through a subsidiary body such as a park board.

"Qualified Employee." Any person who on or after the date of establishment, is employed by the City as a full time employee in a job other than as

- a) an officer elected by the people;
- b) a common laborer;

c) a member of the library, museum, park, zoning adjustment boards or similar boards with active duty on an intermittent basis (i.e., not regularly upon successive business days).

"Fire and Police Employee." Any person who, on or after the effective date of this Plan, is employed by the City as a full time fireman or policeman.

"Full Time Employee." A salaried employee who is normally scheduled to work sixteen (16) days per month or more.

"Participant." A qualified employee who participates in the System under Article IV hereof.

"Employee member." A person who is simultaneously a qualified employee and a participant.

"In the service." In the service of the city. A person shall be deemed in the service of the city while the technical relationship of employer and employee subsists between him and the city.

"In the classified service." In the classified service as defined in any civil service statute or rule now or hereafter applicable to the city, and for the purposes of this Act only shall include full time recorders, regularly assigned to the trial of cases.

"Effective Date." The date of establishment.

"Anniversary Date." The date of establishment and the month and day thereof annually thereafter.

"Fiscal Year." The accounting year of the System which shall run from each September 1 through the August 31 next following.

"Past Service Credit" or "Prior Service Time." The credit given a Participant for employment with the City prior to the **Effective Date except for** such period of time for which the employee received no pay from the City.

"Future Service Credit" or "Paid Membership Time." The credit given a Participant for employment with the City subsequent to the **Effective Date** for which he shall have made contributions to the Fund through payroll deductions or direct payments where authorized.

"Basic Monthly Earnings" and "Monthly Salary." Basic monthly compensation exclusive of overtime pay but including longevity pay.

"Final Average Salary." The total of the four (4) consecutive years of highest basic annual earnings after the Effective Date of this Plan divided by forty-eight (48) months.

"Total Covered Payroll." The total of the basic annual salaries plus annualized longevity pay, but excluding overtime or other forms of extra compensation, of all Participants in the System at any point in time.

"Payroll Period." A period of time for which a payment of salary is ordinarily made with respect to a qualified employee.

"Board of Managers." The administrative board of the System as provided in ARTICLE III hereof.

"The Board." The Board of Managers as herein provided.

"The City Comptroller." The employee of the City whose duties are those of treasurer or chief financial employee.

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"The custodian." The custodian of the fund.

"The Personnel Director." The Personnel Director provided for the city by statute or, if there be no such Personnel Director, the City Clerk, the custodian, or another, as the Board may determine.

"Council" or "City Council." The Governing body of the City.

"Clerk" or "City Clerk." The City Clerk of the City.

"The County." The County in which the City is located and if the City is located in more than one county, then that County in which the major portion of larger part of the City is located.

"Civil Defense Agency." Any public organization, agency, or authority organized or existing pursuant to state law and exercising Civil Defense Functions within the city or within the city and elsewhere in the county.

"Civic Center" or "Civic Center Authority." Any public corporation, authority or agency organized pursuant to State Law for the purpose of providing, constructing, operating, and maintaining a Civic Center in the County in which the City is located or in the City.

"Retiree." A former Participant who has been granted a retirement allowance or a disability allowance by the Board.

"Credited Service" or "Creditable Time." The credited service or creditable time of a Participant or employee member shall include all his paid membership time and all of his prior service time.

"Mayor." The Mayor or Chief Executive Officer of the City.

"The Personnel Board." The Board of Control of any Civil Service System provided for the City by statute or, if at any time there be no such Board of Control, then the Governing Body of the City.

Widow shall include Widower, spouse shall mean either husband or wife, Policeman shall include Policewoman, and Fireman shall include a female employed in the position of a fireman.

Words written in the "singular" shall include the "plural," words in the "plural" shall include the "singular," words of the masculine gender shall include the feminine gender and words of the feminine gender shall include the masculine gender unless the context shall clearly and absolutely indicate a restrictive meaning.

ARTICLE III
ADMINISTRATION OF PLAN

Section 1. Board of Managers.

The System shall be administered by a Board of Managers consisting of five (5) members as follows:

- (1) The Mayor of the City, who shall serve as Chairman;
- (2) A member appointed by the Personnel Board of the City;
- (3) A Participant in the System who shall be elected by the Participants in the System;

(4) A member appointed by the Mayor;

(5) A person who is not a Participant in the System who shall be elected by the Participants in the System.

Section 2. Method of Selection and Term of Appointment of Board Members.

The members of the Board of Managers, other than the Mayor who shall always serve as Chairman, shall be selected and shall serve for the term as hereafter set forth.

(1) The member appointed by the Personnel Board shall be a bona fide resident and qualified voter of the City and shall serve a four (4) year term. Should said appointed member die, resign or otherwise be unable to serve, the vacancy thus created shall be filled by the Personnel Board for the unexpired term.

(2) The first of the two members elected by the Participants in the System shall himself be a Participant in the System and shall be a bona fide resident and qualified voter of the City. In order to assure representation of all Participants in the System, if the person first elected is a member of the Fire Department or Police Department, the Participant elected to fill the next term shall be a Participant who is not an employee of the Fire Department or Police Department. Similarly, if the first member thus elected should not be an employee of the Fire Department or Police Department, the Participant elected to fill the next term shall be a Participant who is an employee of the Fire Department or Police Department. Thereafter this member shall alternate between the two groups (i.e., Fire Department or Police Department and other than the Fire Department or Police Department). In the event the Participant thus elected shall die, resign or otherwise be unable to serve, the Participant elected to fill the unexpired term shall be from the same group as was the Participant whose term as a member of the Board of Managers was vacated.

This Participant-member of the Board shall be elected by secret ballot to serve a term of four (4) years commencing on the day the result of the election is declared. The Council shall have the authority to prescribe and to change rules and regulations concerning the election of said Participant-member provided that the rules and regulations as prescribed or changed are not inconsistent with this Act.

(3) The member appointed by the Mayor shall have more than ten (10) years' experience in an executive capacity in insurance, actuarial, investment or banking work, shall be a bona fide resident and qualified voter of the County and shall serve for a four (4) year term.

(4) The second member elected by the Participants in the System shall not be a Participant in this System, shall have more than ten (10) years' experience in an executive capacity in insurance, actuarial, investment or banking work and shall be a bona fide resident and qualified voter of the County.

This non-Participant member of the Board shall be elected by secret ballot to serve a term of four (4) years. The election shall be called by the Council after thirty (30) days' notice. Nominations of persons to fill this position shall be made in writing by Participants in this System and shall be filed with the Council and the City Clerk of the City no less than ten (10) days prior to the date of the election.

In the event of a vacancy occurring during a term of this member of the Board of Managers, a replacement shall be elected by Participants in this System in the same manner as that set forth in this sub-section (4).

Section 3. Meetings of the Board of Managers.

The Board of Managers shall meet on the second Wednesday in each calendar month in the office of the Chairman or such other place as the Board may designate; provided, however, that the Board shall not be required to meet unless there is pending before the Board an application for a pension, relief or benefit or unless there is pending some other matter of consideration by the Board. The Board of Managers by virtue of a resolution adopted by it may change the regular meeting from Wednesday to such other date as may be most convenient to the Board.

Section 4. Special Meetings of the Board of Managers.

Any three Board members, after due notice having been given to all members of the Board, may meet in special meeting and transact any business of the Board; provided, however, the Secretary must be present and record the proceedings of the special meeting as hereinafter provided.

Section 5. Secretary of the Board.

The Personnel Director shall be Secretary of the Board and shall be present at every meeting of the Board and keep a record of all proceedings of the Board and of all orders and decisions of the Board.

Section 6. Quorum.

Three members of the Board, when assembled either in regular or special meeting, shall constitute a quorum for the transaction of any and all business of the Board and the affirmative vote of three members shall be necessary and sufficient to pass any motion or resolution.

Section 7. Compensation of Members of the Board.

The member of the Board of Managers appointed by the Personnel Board, the member of the Board of Managers appointed by the Mayor and the non-participant member of the Board of Managers elected by the Participants in the System shall receive Ten Dollars (\$10) for each meeting attended but in no event shall receive more than Twenty Dollars (\$20) for all meetings attended in any one calendar month. No other member of the Board nor the Secretary shall receive any compensation whatever for so serving.

Section 8. Powers and Duties of the Board.

The Board shall have such powers as are necessary for the proper administration of the System including, but not limited to, the following:

(1) To prescribe procedures to be followed by Participants, and their beneficiaries, in filing applications for benefits and for the furnishing of evidence necessary to establish employees' rights to such benefits;

(2) To make determinations as to the rights of any Participant or their beneficiaries applying for or receiving benefits, and to afford any such individual dissatisfied with any such determination the right of a hearing thereon;

(3) To develop procedures for the establishment of Credited Service of Participants, and, after affording Participants an opportunity to make objection with respect thereto, to establish such service conclusively in advance of retirement;

(4) To retain and pay from the fund for the services of a consultant and actuary;

(5) To receive and pay from the fund for periodic (not more often than once a year) actuarial valuations of the Plan;

(6) To retain and pay for from the fund the services of an investment advisor.

(7) To retain and pay for from the fund the services of an accountant or auditors;

(8) To obtain from the City the Plan consultants and actuaries, if any, and from the Participants such information as shall be necessary for the proper administration of the Plan and pay from the fund any reasonable expense incurred in connection therewith;

(9) To retain and pay for from the fund the services of such additional professional counsel as the Board may deem necessary for the proper management and administration of the System.

Any member of the Board may serve beyond his term until a successor is appointed or elected. Any member of the Board may be removed by impeachment for corruption, malfeasance in office, or for habitual neglect of duty.

Section 9. The Fund and its Investment.

(a) The fund shall include all assets of the fund in any form, and the city comptroller shall be, ex officio, the custodian of the fund. The custodian shall keep a separate account of the fund and of all assets and liabilities thereof and of all receipts and disbursements thereof and of all prior service time and paid membership time of employee members. The custodian shall keep all monies of the fund in a separate bank account. The custodian shall keep in force and effect a bond in a penal amount equal to the total amount of monies and securities in his custody or possession, but in no event in excess of fifty thousand dollars (\$50,000), payable to the Board and conditioned for faithful performance of his duties and for faithful accounting to the Board for all monies, securities and property coming into his custody or possession as such custodian. Such bond shall be executed by a surety company authorized to do business in the State of Alabama, and the premium on such bond, and all necessary expenses of the Board, shall be paid out of the fund upon order of the Board. All bonds and securities acquired for the fund and which are registerable as to principal shall be registered by the custodian in the name of the system promptly upon acquisition and shall remain so registered until sold or otherwise disposed of by authority of the Board. The Board shall select a banking institution located within the territorial jurisdiction of the city as sub-custodian of securities, with authority to collect and remit to the custodian principal and interest of securities entrusted to its custody as the same may mature, and pay it such reasonable fees or compensation for its services as the Board may deem proper, and the Board may, if it sees fit, waive bond of such institution as subcustodian so long as the net worth of

the subcustodian exceeds one and one-half times the total par value of the securities entrusted to its custody. Securities in the custody of such subcustodian shall not be counted as in the custody of the custodian for the purpose of computing the amount of the custodian's bond. The Board is authorized to accept and receive gifts, donations, or legacies for the fund, and to administer same as may be directed by the donors. In the adjudication of claims against the fund, the records of the city comptroller and custodian made and kept for the purpose of this act shall be deemed prima facie, to speak the truth.

(b) The Board of Managers shall have the sole and absolute discretion, if they deem it advisable to invest, reinvest and have invested and reinvested all funds of the System, real and personal subject to the limitations herein provided. The Board is authorized to borrow money up to the par value of the securities of the fund and to pledge such securities for repayment of the money borrowed. No money of the fund shall be invested, paid out or disbursed except pursuant to order or authorization of the Board. The Board shall be trustee, and have entire management and control of the fund, and shall direct investment of monies of the fund not needed to meet disbursements provided for in this Act in the loans to members hereinabove referred to and in bonds of the United States Government, or general obligation bonds of the State of Alabama, or general obligation bonds of any municipality or county of the State of Alabama, or in Federal Savings and Loan Associations, or in other corporations having Federal Savings and Loan Association's guarantee, or in bonds or common or preferred stock of corporations organized under Federal laws or the laws of any State of the United States, or may invest in certificates of deposit or bonds issued by banks organized under Federal laws or under laws of the State of Alabama; provided, however, that not more than ten thousand dollars shall be invested in any one Federal Savings and Loan Association, or in any one corporation having Federal Savings and Loan Association's guarantee; and provided, further, that no funds shall be invested in bonds or common or preferred stock of private corporations unless such bonds or common or preferred stock are listed upon Exchanges subject to the jurisdiction of the Securities and Exchange Commission and the aggregate value of the funds invested in such bonds and stocks of corporations last referred to above shall not exceed fifty per cent (50%) of all the funds available in the system for investments, nor shall the total investment in common or preferred stocks of such corporations exceed twenty-five per cent (25%) of all the funds available in the system for investments.

Section 10. Legislative Reports.

In addition to periodic actuarial valuations of the Fund which the Board may from time to time require, the Board shall, prior to the first day of March of every uneven year, transmit to each member of the Alabama House of Representatives representing the County or any part thereof, and to each member of the Alabama Senate from every Senatorial District within the County or partly within the County an actuarial analysis of the System as of the end of the City's fiscal year immediately preceding said report specifically answering the following questions:

(1) Are the contributions to the Fund sufficient to pay the benefits provided herein? If not, what additional contributions are necessary?

(2) Are the benefits provided herein sufficient in amount to consume the contributions required herein, or are they as large as to render the Fund insolvent; and in the event of the finding of either contingency, what adjustments should be made?

(3) What provision should be made either in contributions by employees or by the City to render the Fund solvent with respect to allowances made for prior service?

In addition to the foregoing, the Board of Managers shall transmit to said Representatives and Senators the following:

(1) A draft of such laws as the Board deems necessary to keep or make the Fund actuarially solvent, and of such laws as the Board believes would improve the Pension System; and

(2) A recital of the reasons for the recommendation of the proposed laws; detailed and specific recommendations as to what benefits should be reduced, or what additional contributions should be made, to the end that the Fund will be solvent, safe and sound for the protection of the employees covered thereby.

Section 11. Appeal of Decisions of the Board.

Any decision of the Board denying a benefit claimed may be subject to review by the Circuit Court, in the manner and subject to the limitations, herein provided. An employee may secure a review of such decision of the Board by mandamus proceedings in the Circuit Court, which he shall institute in said Court by filing therein a petition for mandamus. Said petition may designate the Board as respondent or the members thereof as respondents. Each respondent shall be served with process, unless such respondent or his or its attorney accepts service.

The petition for mandamus shall be barred if it is not filed within ninety (90) days from the date whereon the Board of Managers makes its final decision on the benefit claimed, provided written notice of such final decision of the Board shall be given by certified or registered mail, postage prepaid, and properly addressed, to the claimant or his attorney within ten (10) days after such final decision of the Board. If timely notice shall not be given as provided in the last preceding sentence, claimant shall not be barred from filing mandamus until the expiration of eighty (80) days from the mailing of notice as above provided; but in no event anything therein to the contrary notwithstanding shall said mandamus be filed after one year from the date of such final decision of the Board; provided further that no such final decision made by the said Board prior to January 1, 1969, shall be subject to review by mandamus or otherwise unless permitted by the law in effect at the time such decision was made and then only in the manner permitted by said law in effect on said date; provided further that any such final decision made by the Board after January 1, 1969, and prior to the effective date of this Act shall be governed by the eighty (80) day clause of the last preceding sentence, but in such case such mandamus proceeding shall not be filed after one year from the effective date of this Act.

In the proceedings in the Circuit Court any evidence relevant on any issue involved in the review shall be admissible, subject to the ordinary rules of evidence.

If the submission in the mandamus proceedings is solely upon the proceedings before the Board, the decision of the Board upon all matters of fact shall be final and conclusive, unless it affirmatively appears that its decision is plainly and manifestly wrong.

If in the Circuit Court evidence is received, in addition to that considered by the Board, the decision of the Board upon all matters of fact shall, nevertheless, be final and conclusive, except to the extent limited by the next following sentence. If the Circuit Court after hearing all the evidence offered determines that had the decision rendered by the Board been rendered after hearing such evidence that such decision would not have been manifestly wrong, then the Circuit Court shall sustain the decision of the Board, and if the Circuit Court, after considering all the evidence, determines that the decision rendered by the Board would have been manifestly wrong had such decision been rendered after considering all the evidence considered by the Circuit Court, then in that event the Circuit Court shall render the decision which that Court concludes should be rendered on all the evidence considered by that Court. The provision of Section 8 of ARTICLE VI prohibiting a resolution of the Board allowing an extraordinary disability benefit unless such resolution be passed within twelve (12) months after the accident resulting in disability shall not be construed to prohibit the Circuit Court in a mandamus proceeding from rendering a judgment in favor of the claimant for extraordinary benefits even where the Circuit Court shall direct the Board to adopt a resolution in favor of the claimant in compliance with such judgment of the Circuit Court.

Section 12. Repeal and Amendment Reservation.

The Legislature reserves the power to amend, alter or repeal this act, provided, however, that if any person who may be entitled to voluntary retire and obtain a retirement allowance under this act shall so voluntarily retire before exercise of said reserved power he shall have a contractual lien upon the Fund for each and every amount to which he may be or become entitled in accordance with the terms of the law existing at the time of such voluntary retirement, and provided, further, that if any employee member become totally disabled before exercise of said reserved power, he shall have a contractual lien upon the Fund for each and every amount to which he may be or become entitled in accordance with the terms of the law existing at the time of commencement of such disability.

ARTICLE IV

ELIGIBILITY TO PARTICIPATE

Section 1. General Rule—Classified Service.

Each Qualified Employee of the City who is in the classified service including each Qualified Employee in the classified service of the police and fire departments shall be a Participant in the System, except as provided in Section 2 of this Article.

Section 2. Exception to General Rule—Classified Service.

Anything herein to the contrary notwithstanding, no member of the pension system provided by the following legislation, if such legislation is applicable to the City, shall be a member of the system:

(a) The Policemen's Pension and Relief Plan provided by Act No. 502 of the 1923 Session of the Legislature of Alabama, as amended or codified;

(b) The Firemen's Pension and Relief Plan provided by Act No. 307 of the 1943 Session of the Legislature of Alabama, as amended (General Acts of Alabama of 1943, page 264);

(c) **The Limited Policeman's Retirement and Relief System** provided by Act No. 470 of the 1955 Regular Session of the Legislature of Alabama, as amended (Acts of Alabama of 1955, page 1067); and

(d) **Limited Firemen's Pension and Relief System** provided by Act No. 217 of the 1966 Special Session of the Legislature of Alabama, as amended (Acts of Alabama, Special Session 1966, page 280).

Section 3. General Rule—Unclassified Service.

Each Qualified Employee of the City who is in the unclassified service shall be eligible to participate in the System provided he shall elect in writing to so participate within fifteen (15) days of his first becoming a Qualified Employee in the unclassified service.

Section 4. Withdrawal from System—Classified Service.

A Participant in the System who is in the classified service shall continue to be a Participant without the right of withdrawal so long as he shall continue in the classified service. However, should such Participant cease to be in the classified service, but be employed in the unclassified service, he shall have the right to, but shall not be required to, withdraw from the System by filing an election thereof in writing with the City Comptroller. In such event he shall be entitled to a refund of contributions as provided in Section 16 of ARTICLE VI hereof and shall lose all previously established pension credit under the System.

Section 5. Withdrawal from System—Unclassified Service.

A Participant in the System who is in the unclassified service shall have the right to withdraw from the System while remaining in the service by filing a written application for withdrawal with the City Comptroller. In such event, he shall be entitled to a refund from the System of an amount equal to the total of his contributions to the System less any and all benefits received from the System, and said former Participant shall lose all previously established pension credit under the System and shall thereafter be ineligible to participate in the System while continuing in the unclassified service.

Section 6. Transfer from Unclassified to Classified.

A Participant transferring from the unclassified service to the classified service shall lose the right of withdrawal as provided for Participants in the unclassified service as set forth in Section 5 of this ARTICLE IV and shall continue as a Participant in the System as though his total credited service under the System had been as a classified employee. In the event that a Qualified Employee in the unclassified service who is not a Participant in the System shall transfer to the classified service, he shall not receive any pension credit for service subsequent to the Effective Date and prior to the date he became a Participant by virtue of his transferring to the classified service.

Section 7. Transfer of Member of Policemen's and Firemen's Pension and Relief Plan.

In the event of the transfer of a member of any of the Pension plans referred to in Section 2 of this Article IV to a department of the City other than the Police or Fire Department, he shall become a Participant in the System, his credited service under said predecessor plan shall be counted as credited service under the System, and his contributions to said Plan subse-

quent to the Effective Date, plus the City's contributions thereto in his behalf, shall be transferred to the fund of the System.

Section 8. Re-Employment.

In the event a Participant should cease to be a Participant hereunder, should elect a return of his contributions as provided in Section 16 of ARTICLE VI hereof and should be thereafter again become a Participant hereunder, he shall have the right to elect to have his previously credited service reinstated. Should he so elect, he shall be liable to the Fund for the amount of the contributions previously refunded to him and the City Comptroller shall deduct said liability from his salary in twenty (20) monthly installments of an approximately equal amount including interest from the date of such refund of contributions at such rate as the Board may from time to time determine. Alternatively, the City Comptroller shall be authorized to set such monthly installments, including interest as herein specified, over such lesser number of months as will provide for monthly installments of no less than Ten Dollars (\$10.00).

ARTICLE V

PARTICIPANTS' AND CITY'S CONTRIBUTIONS

Section 1. Participants' Contributions.

Each Participant shall contribute to the cost of the System, and the City shall deduct from his salary an amount equal to six per cent (6%) of his actual monthly salary and said deductions by the City shall immediately be paid into the Fund. Should the City through error, inadvertence or otherwise, neglect to make proper deduction from the fund from the salary of any employee member for any payroll period the employee member shall be liable to the fund for the amount or amounts that should have been deducted and shall pay said amount to the custodian on demand.

Section 2. City's Contributions.

At the same time the deductions attributable to Participants' contributions are paid into the Fund, the City shall pay into the Fund from its general or otherwise appropriate funds its Current Service Cost and its Past Service Cost to be determined as of the date of the commencement of each fiscal year of City as follows:

a. The actuaries shall determine the Normal Cost of the benefits provided by the System;

b. From the Normal Cost shall be subtracted the value of the Participants' contributions in the previous Fiscal Year;

c. The remainder thus arrived at shall be divided by the total covered payroll of all Participants as of the first day of the Fiscal Year, the resultant percentage shall be called the "Current Service Percentage" and the Current Service Percentage shall be multiplied by the total covered payroll of all Participants at the end of each Payroll Period to determine the City's "Current Service Cost" for the Payroll Period;

d. The actuaries shall determine the single sum of unfunded Accrued Liability and shall amortize it from that date over a period of thirty (30) years.

e. The unfunded Accrued Liability as amortized over thirty (30) years shall be divided by total covered payroll of all Participants, the resultant percentage shall be called the "Past Service Percentage" and the Past Service Percentage shall be multiplied by the total covered payroll of all Participants at the end of each Payroll Period to determine the City's "Past Service Cost" for the Payroll Period.

Section 3. Contributions Previously Required.

Anything herein to the contrary notwithstanding, contributions of Participant and the City in effect immediately prior to the adoption of this amendatory Act shall continue to be deducted and paid into the Fund until such time as the percentages provided for in Section 2 of this Article V are determined as there required.

Section 4. New Participants—Credit for Service with County or Other Municipality.

In the event a Qualified Employee becoming a Participant herein on or after September 1, 1969 shall have prior thereto been employed by the County under the provisions of a merit system applicable to the County or any municipality in the County under the provision of the merit system applicable to such municipality, he may receive credit for said prior service by paying to the City Comptroller within sixty (60) days after becoming a Participant an amount to be determined as follows:

a. There shall first be determined the salary paid said Participant each month by the County or such municipality;

b. There shall then be computed the contribution which would have been deducted had such salary been paid by the City, said contribution and deduction being determined in accordance with the provisions of this Act on the date he became a Participant in the System;

c. There shall then be determined the total of interest at the rate of four per cent (4%) per annum on the deductions which would have been made from the date they would have been made had such salary been paid by the City to the date he became a Participant in the System, and

d. The total of the deductions which would have been made plus interest at the rate of four per cent (4%) per annum as both are determined in this Section 4, shall be the amount payable.

Section 5. Retirees of Firemen's and Policemen's Supplemental Pension System.

In the event of the retirement of a Policeman or a Fireman from a Supplemental Pension System, as established by Act No. 556 of the Legislature of Alabama of 1959, with twenty-five (25) or more but less than thirty (30) years of credited service under said System, this System shall receive from said Supplemental Pension System the monthly payments required to be paid from said System to this System from said policeman's or fireman's retirement date thereunder until the date he would have been entitled to retire under this System with thirty (30) years of credited service had he continued to serve without retiring and without interruption as a Participant in this System. The City shall then match said contributions from its general fund or

other appropriate funds making said matching contributions to the Fund within thirty (30) days from the date of receipt of those funds which are to be matched.

Section 6. Refund of Erroneous Contributions.

In the event contributions shall have been deducted from an employee who is not a Participant herein and shall have been paid into the Fund, said deductions shall be refunded to said employee. Similarly, any contributions made to the Fund by the City on behalf of said non-participating employee shall be refunded to the City.

ARTICLE VI
BENEFITS

Section 1. Normal Retirement Benefit.

A Participant, having attained age sixty (60) or older and having completed fifteen (15) or more years of credited service, or having completed thirty (30) or more years of credited service without regard to age, shall be entitled upon his voluntary retirement to a monthly retirement benefit equal to one of the following:

a. Participants On or Before the first day of July Nine Years After Date of Establishment.

With respect to a Retiree who first became a Participant on or before the first day of July after nine years after date of establishment forty per cent (40%) of his Final Average Salary, plus one and eighty-three one thousandths per cent (1.083%) of his Final Average Salary multiplied by his years of credited service in excess of fifteen (15) years.

b. Participants after the first day of July Nine Years after Date of Establishment.

With respect to a Retiree who first became a Participant subsequent to the first day of July after nine years after date of establishment, one and seven-eighths per cent (1 $\frac{7}{8}$ %) of his Final Average Salary multiplied by his years of credited service. Subject to the provisions of Section 19 of this ARTICLE VI, the amount of any retirement benefit provided under the provisions of this section which may have commenced to accrue in accordance with the provisions of the System shall continue to accrue throughout the life of the Retiree.

Section 2. Maximum Normal Retirement Benefit.

The maximum Normal Retirement Benefit payable under the preceding Section 1 shall be fifty-six and one-fourth per cent (56 $\frac{1}{4}$ %) of Final Average Salary.

Section 3. Participants With Less than Fifteen Years Service.

In the event a Participant with ten (10) or more but fewer than fifteen (15) years of credited service shall be terminated as a Qualified Employee subsequent to January 1, 1967 due to his having attained the age at which termination of his service as a Qualified Employee is mandatory under any law now or hereafter in effect, he shall be entitled to a monthly retirement benefit equal to one and seven-eighths per cent (1 $\frac{7}{8}$ %) of his Final Average Salary multiplied by his years of credited service.

Section 4. Participants With More than Thirty Years of Service.

Anything herein to the contrary notwithstanding, should a Participant retire hereunder with more than thirty (30) years of credited service, he shall be entitled to an additional monthly benefit equal to one and seven-eighths per cent (1 $\frac{7}{8}$ %) of his Final Average Salary multiplied by his years of Credited Service which are in excess of thirty (30) but in no case to exceed seventy per cent (70%) of his Final Average Salary.

Section 5. Participants Retiring under the Firemen's and Policemen's Supplemental Pension System.

With respect to Participants who shall belong to and retire under the Supplemental Pension System established by Act No. 556 of the Legislature of Alabama after having accumulated twenty-five (25) or more years of credited service thereunder but prior to his having accumulated thirty (30) years of credited service hereunder, benefits payable hereunder shall commence on the date on which he would have accumulated thirty (30) years of credited service hereunder had he not retired but rather had continued in his employment with the City, without interruption, as a fireman or policeman. The annual benefit thereupon payable herefrom shall be an amount equal to that which would have been payable under Section 1 of this Article VI had he not retired but rather had continued in his employment with the City, without interruption, as a fireman or policeman, provided, however, that for the purpose of computing said benefits, Final Average Salary shall be computed as of his actual retirement date from the service.

Section 6. Involuntary Retirement.

In the event a Participant shall be involuntarily retired after having completed twenty (20) or more years of credited service, he shall be entitled to a monthly retirement benefit equal to one and seven eighths per cent (1 $\frac{7}{8}$ %) of his Final Average Salary multiplied by his years of credited service, provided however, that should said Participant be involuntarily retired prior to attaining age sixty (60), his entitlement to said monthly retirement benefit, at his retirement date, shall additionally require that within sixty (60) days of said involuntary retirement the agency governing tenure of service of City employees certify in writing to the Board that such employee has not contributed by his own fault or misconduct to said separation from service. Should such certification not be made within the prescribed time, the monthly retirement benefit thus determined shall commence upon his attainment of age sixty (60). However, should he, prior to attaining age sixty (60) and prior to the commencement of his benefits, withdraw his own contributions to the System, he shall forfeit his right to said monthly retirement benefits.

Anything herein to the contrary notwithstanding, said monthly retirement benefit shall neither commence nor be payable during any period when such involuntarily retired Participant shall refuse or fail to accept employment by the City at a rate of compensation equal to that he was receiving at the time he was involuntarily retired or separated.

Section 7. Ordinary Disability Allowance.

In the event a Participant shall, after having accrued five (5) or more years of credited service, become totally disabled to perform his customary duties as an employee of the City and not be entitled to an extraordinary disability allowance, he shall in such event be entitled a monthly ordinary

disability allowance equal to one and seven-eighths per cent (1 $\frac{7}{8}$ %) of his Final Average Salary multiplied by his years of credited service at the date of his disability.

Benefits payable hereunder shall commence upon the cessation of said disabled Participant's drawing a salary from the City and shall continue until such time as said Participant is no longer totally disabled to perform his said customary duties or substantially comparable duties.

The maximum ordinary disability allowance payable hereunder shall be forty-one and eighty-six one hundredths per cent (41-86/100%) of Final Average Salary.

Anything herein to the contrary notwithstanding, an ordinary disability allowance shall be computed and paid throughout the continuance of such disability as provided and at the rate prescribed by the law in effect at the time of the commencement of such disability. If any disability beneficiary should become separated from the service and withdraw his contributions his right to continuance of disability benefits shall immediately cease.

Section 8. Extraordinary Disability Allowance.

In the event a Participant shall become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the Service and occurring at a definite time and place, then in the event such total disability shall continue until the Participant ceases to draw salary as an employee of the City such disabled Participant shall be entitled to a monthly allowance from the Fund equal to seventy per cent (70%) of his monthly salary at the time of the accident which resulted in such total disability.

Benefits payable hereunder shall commence upon the cessation of said disabled Participant's drawing a salary from the City and shall continue until such time as such Participant is no longer disabled by such injury to perform his customary duties or substantially comparable duties. If, however, such disabled Participant should, during the continuation of such disability, be separated from the service of the City and should such disability cease to exist, the Board may, in its discretion, continue him on the disability rolls until such time as in the judgment of the Board he is able to find suitable employment at a rate of pay equal or in excess of his disability allowance.

Application for an extraordinary disability allowance must be made within twelve months after the accident resulting in such disability and if granted shall be granted within twelve months after the accident resulting in such disability. Applications received thereafter shall not be considered and no extraordinary disability allowance shall be awarded with respect thereto.

Anything herein to the contrary notwithstanding, an extraordinary disability allowance heretofore or hereafter granted shall be computed and paid throughout the continuance of such disability as provided and at the rate prescribed by the law in effect at the time of the commencement of such disability. If any extraordinary disability beneficiary should become separated from the Service and withdraw his contributions his right to continuance of disability benefits shall immediately cease.

Section 9. Determination of Disability.

In order for disability allowances to be awarded under Section 7 or Section 8 of this ARTICLE VI, the Board must first have satisfactory proof

thereof by the certification of such disability of the Participant applying for disability allowance, said certification being made by a licensed and practicing physician or surgeon. Additionally, the Board shall have the power to require further certifications of such disability by other practicing physicians and surgeons and shall have the power to require such additional proof of total disability as in its judgment it may deem necessary.

During the continuation of disability, the Board may from time to time require further certification of disability by one or more licensed and practicing physician or surgeon selected by the Board and may require such additional proof of the continuation of said disability as it deems appropriate.

With respect to extraordinary disability allowances, hypertension, heart disease or respiratory disease shall not be considered as caused by accident so as to entitle a Participant to an extraordinary disability allowance, nor shall any Participant or any other person claiming under or by reason of relationship to a Participant be entitled to an extraordinary disability allowance as a result of disability caused by hypertension, heart disease or respiratory disease, any other law, general or local, to the contrary notwithstanding. Should a former Participant who has been awarded a Disability Allowance under Section 7 or Section 8 of this ARTICLE VI resume his active duty as an employee of the City, it shall be conclusive evidence of the termination of such total disability for the purpose of the System, and any subsequent cessation of his active duty on account of disability, whether by reason of the same or a different cause, shall be treated as a new disability. However, should a Participant who shall have been awarded an extraordinary disability allowance under Section 8 hereof or is a claimant or prospective claimant therefor resume his active duty as an employee for a period not exceeding a total of one hundred eighty (180) days last ending no later than twelve (12) months following the date of the accident which gave rise to the disability for which he was awarded an extraordinary disability allowance, such resumption of active duty as an employee of the City shall not be deemed to be conclusive evidence of termination of such disability; provided, however, any provision hereof to the contrary notwithstanding, no extraordinary disability allowance shall be allowed unless granted within twelve months after the accident resulting in such disability.

In no event shall disability allowances as provided under Section 7 or Section 8 of this ARTICLE VI be payable with respect to any period of time during which the recipient of such allowances shall be actively employed by the City, shall be due or shall have been paid any salary from or by the City.

Section 10. Survivor's Benefit.

In the event of the death of a Retiree or Participant who, on the date of his death was eligible for voluntary retirement under Section 1 of this ARTICLE VI, there may be payable a monthly Survivor's Benefit equal to forty-five per cent (45%) of the monthly retirement benefit which said Retiree was receiving or was entitled to receive prior to his death or which said Participant would have been entitled to receive had he retired under Section 1 of this ARTICLE VI on the day preceding his death.

Section 11. Eligibility for Survivor's Benefit.

The surviving spouse of the deceased Retiree or Participant described in Section 10 of this ARTICLE VI shall be eligible to receive a Survivor's Benefit if they continued to be legally married on the date of the death of said de-

ceased Retiree or Participant and if said spouse were married to said deceased Retiree or Participant for at least five (5) consecutive years during which said deceased Retiree or Participant was employed in the service of the City. Further, said surviving spouse shall continue to be eligible to receive said monthly Survivor's Benefit until she shall die or remarry, whichever shall first occur.

In the event said deceased Retiree or Participant should not be survived by his spouse or in the event the spouse should fail to qualify hereunder, a Survivor's Benefit shall be payable to the child or children of said deceased Retiree or Participant, provided, however, that no Survivor's Benefit shall be payable to such child if married or if over age eighteen (18).

Section 12. Service Connected Death Benefit.

Should a Participant be killed in the line of his duty, there may be payable to his spouse and child or children a Service Connected Death Benefit which shall be determined as follows:

(a) Spouse Benefit.

The surviving spouse shall receive a monthly benefit equal to forty per cent (40%) of the monthly salary of the deceased Participant and shall additionally receive an amount equal to ten per cent (10%) of said salary for each eligible child of said deceased Participant. However, in no event shall the monthly benefit payable to the spouse hereunder exceed fifty per cent (50%) of the monthly salary of the deceased Participant.

(b) Child or Children Benefit.

Should there be no surviving spouse or should the surviving spouse fail to qualify hereunder, there shall be payable to or for the benefit of such deceased Participant's child or children a monthly benefit equal to forty per cent (40%) of the deceased Participant's monthly salary.

(c) Deceased Participant's Monthly Salary.

For the purpose of this Section 12, the deceased Participant's monthly salary shall mean his Final Average Salary except that with respect to a Participant who should be killed in the line of service prior to having accumulated five (5) years of Credited Service hereunder, it shall mean his monthly salary as of the date of the injury which resulted in his death.

Section 13. Eligibility for Service Connected Death Benefit.

The surviving widow of the deceased Participant described in Section 11 of this Article shall be eligible to receive a Service Connected Death Benefit if they continued to be legally married on the date of the death of said deceased Participant. Further, said surviving spouse shall continue to be eligible to receive said monthly Service Connected Death Benefit until she shall die or remarry, whichever shall first occur.

Service Connected Death Benefits attributable or payable to or on behalf of said deceased Participant's child or children shall only be payable with respect to such child or children who are both unmarried and eighteen (18) years of age or younger except that with respect to an unmarried child or children who shall continue to be a student regularly attending school, benefits shall continue to be payable until they attain age twenty-two (22).

Section 14. Firemen's and Policemen's Supplemental Pension System—Widow's Pension.

In the event a fireman or policeman shall retire under the Supplemental Pension System established by Act No. 556 of the Legislature of Alabama after having accumulated twenty-five (25) years of credited service thereunder and shall die prior to the date on which he would have accumulated thirty (30) years of credited service under this System had he not retired but rather had he continued in his employment with the City, without interruption, as a fireman or policeman, his widow shall not receive any benefit herefrom. However, should said retired fireman or policeman die subsequent to the date on which he would have accumulated thirty (30) years of credited service hereunder, and should he be survived by a widow to whom he was married for at least five (5) years while an active employee, said widow shall be entitled to receive until such time as she should remarry a monthly widow's pension in an amount equal to forty-five per cent (45%) of the monthly retirement benefit which her husband was receiving or entitled to receive on the date of his death as if such widow was entitled to a benefit under Sections 10 and 11 of this ARTICLE.

Section 15. Death Prior to Retirement—Return of Contributions.

In the event a Participant shall die prior to retirement and without a surviving spouse or children eligible for benefits hereunder, there shall be payable an amount equal to his total contribution to the System, without interest, less an amount equal to one-half ($\frac{1}{2}$) the total of all Disability Retirement benefits paid to said deceased Participant prior to his death.

Section 16. Termination of Employment or Ineligibility—Return of Contributions.

In the event a Participant shall terminate or be terminated from his employment with the City for any reason whatever, in the event a Participant shall cease to be eligible for participation herein or in the event a Participant herein shall cease to be a classified employee and shall elect to terminate his participation in the System, there shall be payable to said former Participant an amount equal to his total contributions to the System, without interest, less an amount equal to one-half ($\frac{1}{2}$) the total of all disability retirement benefits paid to said former Participant; provided, however, that this section shall not require a return of contributions to an involuntary retiree who elects not to withdraw his contributions pursuant to Section 6 of the ARTICLE VI.

Section 17. Payment of Return of Contributions.

A return of contributions, as provided herein, shall be payable to said former Participant, if living, and otherwise to his personal representative who may qualify as such and make demand for payment within sixty days after death of such former Participant or if there be no such qualification and demand to his named beneficiary. In the event said former Participant shall have died and shall have not, while an active Participant in the System, designated a beneficiary in writing, said return of contributions shall be paid in the following order of preference:

- (1) To his Personal Representative if one qualifies and makes demand therefor within sixty days after the death of such Participant;
- (2) To his surviving spouse;

- (3) To his surviving children in equal shares;
- (4) To his surviving parents in equal shares;
- (5) To his surviving brothers and sisters in equal shares.

Section 18. Designation of Severance Beneficiary.

The custodian shall keep a book or record in which any employee member may designate the name of a person to receive return of contributions made by him in the event of his death prior to commencement of accrual of a retirement allowance in his favor. Any such designation may be changed from time to time by the employee member. Each such designation shall be signed and dated by the employee member, and the last signed and dated designation shall prevail over any former designation. The rights of the last designated severance nominee shall be governed by Section 17.

If a fireman or policeman has executed an instrument providing for the Board of Managers of the Supplemental Pension System established by Act No. 556 of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, page 1376, et seq., to receive return of contributions made by him in the event of his death, then the right of the said Board of Managers to receive the return of said contributions shall prevail over the claim of the severance nominee, or spouse, or children, or father, or mother, or sister or brothers or personal representative of such deceased fireman or policeman.

Section 19. Payment of Benefits During Period of Re-Employment.

Anything herein to the contrary notwithstanding, no retirement benefits of whatever kind or description shall be payable to any former Participant for any period during which said former Participant is employed by the City, is due a salary from the City or has been paid a salary by the City.

Section 20. Determination of Right to Benefits.

The determination of the rights of a Retiree to benefits or survivors to death or other benefits under this System shall be determined on the basis of the law governing the System which is in effect on the date of retirement of said Retiree or death of said Participant as the case may be and the right of any beneficiaries or contingent payees as herein provided shall be determined on the basis of the law governing this System which is in effect on the date of the death of the Retiree or Participant which gave rise to the rights of said beneficiary or contingent payee.

Section 21. Payment of Benefits to Minor Children.

In the event that benefits become payable hereunder to minor children, payments shall be made to the legal guardian of said minor children or, in the absence of a legal guardian, to the person who has custody of said children, provided, however, that the benefit shall be payable to the use and benefit of said children.

Section 22. Law Applicable to the Measurement of Benefits.

The rights of any person heretofore or hereafter retired shall continue to be measured and governed by the terms of the System in effect at the time of such retirement and should such person die during the continuance of such retirement the right of the spouse, child or children of such deceased retired

person and the rights of the spouse, child or children of any other deceased person or Participant shall be measured and governed by the terms of the System in effect at the time of the death of such deceased person or Participant.

ARTICLE VII PARTICIPANT LOANS

Section 1. Loans to Participants.

The Board shall have the right to lend to any employee member from the fund such an amount of money as will not cause the aggregate of indebtedness of the employee member to the fund immediately after such loan to exceed fifty per cent (50%) of the amount of contributions returnable to him, or those claiming under him, were he to become separated from the service immediately after such loan. Interest on such loan shall be charged at the rate of six per cent per annum. Provided, however, that if an employee member is a fireman or policeman belonging to a Supplemental Pension System established by Act No. 556 of the 1959 Session of the Legislature of Alabama, approved November 19, 1959 (Ala. Acts, 1959, p. 1376) the Board shall have the right to lend such employee member from the fund such an amount of money as will not cause the aggregate of indebtedness of such employee member to the fund immediately after such loan to exceed fifty per cent (50%) of the aggregate amount of contributions returnable to him, or those claiming under him by provision of this Act and provision of said Act No. 556, were he to become separated from the service immediately after such loan.

Section 2. Repayment of Loan.

Any loan made to a Participant from the Fund pursuant to Section 1 of this ARTICLE VII shall be repayable in either monthly, quarterly, semi-annual or annual installments over a period not to exceed twenty-four (24) months from the date of issuance of such loan as the Board in its discretion may require and at any interest rate of six per cent (6%) per annum.

Section 3. Life Insurance.

Should a Participant obtaining a loan hereunder request the Board to secure a policy of insurance on his life providing for the insurance company to repay the unpaid balance of said loan in the event of his death, the Board shall secure and make available such insurance, if obtainable, at the Participant's expense. In no event shall the amount of life insurance thus obtainable exceed the unpaid balance of the loan attributable to the Participant applying therefor.

ARTICLE VIII MISCELLANEOUS

Section 1. Liabilities of Employee Members to Fund.

Any debt or liability of a Participant to the Fund or to the City shall be offset against, and deducted from, any amount due from the Fund to the employee member or those claiming under him either as return of contributions or as disability or retirement payments, and only the balance, if any, shall be payable by the Fund.

Section 2. False Representations.

It shall be a misdemeanor, and punishable as such, for any Participant or beneficiary to knowingly make any false representation to the Board or to the Secretary of the Board or to the City Comptroller or the custodian or to any investigator or agent of the Board with respect to any matter pertaining to the administration of the System.

Section 3. Exemptions.

Neither all nor any portion of the Fund, whether in cash, securities or otherwise, nor any income or yield thereof, shall be subject to, or exacted on account of, any tax. No retirement or disability allowance nor any amount payable thereunder shall be subject to assignment or to any process for the collection of debts, provided this shall not apply to assignments or debts to the Fund or to the City. Except with respect to the return of contributions provided for in Section 16 of ARTICLE VI, no liability of the Fund for return of contributions shall be subject to assignment, and, subject to the provisions of Section 17 of ARTICLE VI in relation to payment to personal representatives, no liability of the Fund for return of contributions shall be subject to any process for the collection of debts.

Section 4. Members in Armed Forces.

If any Participant, either before July 1, 1945, and after October 16, 1940, or after July 1, 1945, and prior to declaration by the Congress or President of the United States of termination of the unlimited national emergency declared by the President in his proclamation of May 27, 1941, shall have left the service for the purpose of entering the armed forces of the United States, after having been in the service for at least one year next before such leaving, and shall have left in the Fund all contributions made by him prior to such leaving, and shall have resumed a position of qualified employee in the service of the City within forty days after his separation from such armed force, and, in any event, within one year after declaration by the Congress or the President of the United States of termination of the unlimited national emergency declared by said President in said proclamation of May 27, 1941, and shall not have been dishonorably discharged from such armed forces, then, and in all such events, the City shall promptly pay into the Fund an amount double that which the Participant would have contributed to the Fund from his salary had he continued in the service of the City as a Participant throughout the period between the time of so leaving the service and the time of resumption of position in the service at the same rate of pay he was receiving at the time he so left the service, and, upon such payment into the Fund, the Participant shall be entitled to count as credited service the entire aforesaid period, provided, however, that if such Participant becomes disabled to perform his customary duties at any time within two years after such resumption of position, the amount of any benefits to which he might otherwise be entitled hereunder for any period shall be reduced by any amount paid or payable to him by the federal government for the same period, and provided further that no part of such payment by the City shall be returnable by the Fund under any provision of the System for return of contributions made by Participants. In order to extend the benefits of this Section to some "Korean Veterans" to whom such benefits would not otherwise extend, the unlimited national emergency declared by the President of the United States in his proclamation of May 27, 1941, shall, for the purposes of this Section, be deemed to have been by the Congress or the said President declared termi-

nated at midnight, January 31, 1955, the time designated by the President in Executive Order No. 10585, dated January 1, 1955, "as the date of termination of combatant activities" in the Korean Zone and also the time fixed by said President in Proclamation No. 3080, dated January 1, 1955, as a terminal time for various purposes in respect of service in the Armed Forces.

In order to extend the benefits of this Section to other veterans to whom such benefits would not otherwise extend, it is hereby provided that if any Participant shall have left the service prior to April 20, 1954, for the purpose of serving in the armed forces of the United States after having been in the service of the City for at least one year next before leaving, and shall have entered such armed forces promptly after such leaving, and shall have left in the Fund all contributions made by him prior to such leaving, and shall have resumed a position of Participant in the service within forty days after his separation from such armed forces, and in any event prior to the 21st day of May, 1956, and shall not have been dishonorably discharged from such armed forces, then and in all such events, the City shall promptly pay into the Fund an amount double that which the employee would have contributed to the Fund from his salary had he continued in the service as a Participant throughout the period between the time of so leaving the service and the time of resumption of position in the service at the same rate of pay he was receiving at the time he so left the service, and, upon such payment into the Fund, the Participant shall be entitled to count as credited service the entire aforesaid period, provided, however, that if such Participant becomes disabled to perform his customary duties at any time within two years after such resumption of position, the amount of any benefits to which he might otherwise be entitled hereunder for any period shall be reduced by any amount paid or payable to him by the federal government for the same period, and provided further that no part of such payment by the City shall be returnable by the Fund under any provision of the System for return of contributions made by Participants.

As hereafter used in this Section 4, the term "period of hostilities" means any period subsequent to April 20, 1954, when the United States was, is or shall be engaged in hostilities with any foreign state, whether as a result of a declared war or not. In order to further extend the benefits of this Section to other veterans to whom such benefits would not otherwise extend, it is hereby provided that if any Participant shall have left the service subsequent to April 20, 1954, for the purpose of serving in the armed forces of the United States, during a period of hostilities, after having been in the service for at least one year next before such leaving and shall have entered such armed forces promptly after such leaving, and shall have left in the Fund all contributions made by him prior to such leaving, and shall have resumed a position of qualified employee in the service within forty (40) days after his separation from such armed forces, and shall not have been dishonorably discharged from such armed forces, then in all such events the City shall promptly pay into the Fund an amount double that which the employee would have contributed to the Fund from his salary had he continued in the service as a Participant throughout the period between the time of so leaving the service and the time of resumption of position in the service at the same rate of pay he was receiving at the time he so left the service, and, upon such payment into the Fund, the Participant shall be entitled to count as credited service the entire aforesaid period, provided, however, that if such Participant becomes disabled to perform his customary duties at any time within two years after such resumption of position, the amount of any benefits to which

he might otherwise be entitled under Section 7 of ARTICLE VI for any period shall be reduced by any amount paid or payable to him by the federal government for the same period, and provided further that no part of such payment by the City shall be returnable to the Fund under any provision of the System for return of contributions made by Participants.

Anything to the contrary contained in this Section notwithstanding, no Participant who has entered the Armed Forces of the United States subsequent to April 20, 1954, and who otherwise qualifies for the benefits provided herein, shall be entitled to receive such benefits upon return to service unless he shall return to such service within five (5) years after having left such service to enter said Armed Forces.

ARTICLE IX CONSTRUCTIVE SUBSIDIARIES OF THE CITY

Section 1. Participants in the System.

It being recognized that it is desirable to allow as participants in the System employees of certain departments and authorities, the employees of the following such employers shall be included as constructive employees of the City and as participants in the System under the terms and conditions set forth herein subject only to any qualifications or limitations hereinafter provided.

Section 2. Board of Health.

Employees of the Board of Health shall be deemed constructively employees of the City during all their time in the service of said Board of Health, whether past, present or future, and the retrospective and prospective terms of the System shall be retrospectively and prospectively applied to such constructive employees as fully and restrictively, and with like effect as though said Board of Health were actually such subsidiary board or department at all times past, present and future, and as though employees thereof were actually employees of the City at all times while in the service of said Board of Health, past, present or future. For the purposes of application of the terms of the System, such constructive employees of the City shall be deemed as in the classified service of the City during such period or periods, whether past, present or future, as they may be or may have been subject to the same civil service system as that to which employees of the City may be or may have been contemporaneously subject, and shall be governed accordingly by the retrospective and prospective provisions of the System. However, any such constructive employee who may or may have become an employee member after the Effective Date by virtue of Section 1, Article IV hereof shall be entitled to count as creditable time his prior service time as well as his paid membership time. In case of existence in the same county of two cities having a population of two hundred and fifty thousand or more inhabitants that one which first entered such population class shall be deemed the City referred to in this and the next succeeding four sections.

Section 3. Civic Center.

For the purpose of the application of the System to the extent herein provided, and for that purpose only, and except as may be otherwise or differently provided herein, the employment by Civic Center of employee mem-

bers shall be deemed constructively employment by the City during all of their time in the service of Civic Center after the adoption of this Section 3, with like effect as though said employee members, while working for Civic Center, were actually working as employees of the City, subject to this pension system; provided, however, that this Section shall not apply unless all of the conditions hereinafter specified are met.

This Section 3 shall not apply to any employee member unless within thirty (30) days after he leaves the service of the City he is employed by Civic Center on a salary payable at regular specified intervals; any person employed by Civic center on a part time basis before he leaves, or when he leaves, the service of the City shall be within the scope of the next foregoing sentence, if he continues in the employ of Civic Center.

This Section 3 shall not apply unless the employee member leaves in the System Fund the contributions made by him to the Fund.

This Section shall not apply unless, within the time below stated, Civic Center gives written notice to the Board of Managers that Civic Center elects for this said Section 3 of Article IX of this Act to apply to the employment of said employee member by Civic Center. This Section shall not apply unless the Board of Managers receives such notice within forty-five (45) days of the employee member's leaving the service of the City; provided, however, that the said Board may in its discretion accept and treat as binding such notice received after that time, if the Board finds that delay in forwarding the notice was justified.

After giving any such notice, it shall be the duty of Civic Center to make or cause to be made and paid into the pension fund deductions from the salary of its employee who is the subject to such notice, and to do so in all respect as is provided by the System for the City to make deductions and pay into the Fund from Salaries of its employees who are employee members, and it shall be the further duty of Civic Center to make matching contributions to the Fund from its own funds in respect to any employee who is the subject of any such notice, in all respects as it is made the duty of the city to make matching contributions in respect of its employees who are employee members, and it shall be the further duty of Civic Center to fully cooperate with the Board of Managers, the City Comptroller and the Custodian in the administration of the System.

After the Board of Managers receives the said certificate from Civic Center, the election made by Civic Center for this Section to apply to the employee member named in the certificate shall be irrevocable.

Section 4. Civil Defense Agency.

For the purpose of application of the terms of the System, and for such purpose only, and except as may be hereinafter otherwise or differently provided in this and Section 6 of this Article, on and after September 1, 1969, the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of the City shall be deemed constructively a subsidiary board or department of the City during said Civil Defense Agency's subsequent existence, and the employees of the City during all their time in the service of said Civil Defense Agency subsequent to September 1, 1969, and thereafter the terms of the System shall be prospectively applied to such constructive employees as fully and restrictively, and with like effect, as though said Civil Defense Agency were actually such subsidiary board or department

and as though employees thereof in the classified service were actually employees of the City at all times while in the service of said Civil Defense Agency subsequent to September 1, 1969.

Section 5. Duties of the Board of Health.

After July 1, 1945, it shall be the duty of the Board of Health, as an independent agency and not as a subsidiary board or department of the City, to make or cause to be made and paid into the Fund deductions from the salaries of all of its employees who are employee members, and to do so in all respects as is provided by the System for the City to make deductions and pay into the Fund from salaries of its employees who are employee members, and it shall be the further duty of the Board of Health, as such independent agency, to make matching contributions to the Fund from its own funds in respect of its employees who are employee members, in all respects as it is made the duty of the City to make matching contributions in respect of its employees who are employee members, and it shall be the further duty of the Board of Health, as such independent agency, to fully cooperate with the Board of Managers, the City Comptroller and the Custodian in the administration of the System, and, thereinabout, to make available to them all such records and information pertaining to employees of the Board of Health as they or either of them may request for the purpose of administration of the System.

Section 5. Duties of the Civil Defense Agency.

After September 1, 1969, it shall be the duty of said Civil Defense Agency, as an independent agency and not as a subsidiary board or department of the City, to make or cause to be made and paid into the Fund deductions from the salaries of all its employees who are employee members, and to do so in all respects as is provided by the System for the City to make deductions and pay into the Fund from salaries of its employees who are employee members, and it shall be the further duty of said Civil Defense Agency as such independent agency to make matching contributions to the Fund from its own funds in respect of its employees who are employee members in all respects as it is made the duty of the City to make matching contributions in respect of its employees who are employee members, and it shall be the further duty of said Civil Defense Agency as such independent agency to fully cooperate with the Board of Managers, the City Comptroller and the Custodian in the administration of the System, and, thereinabout, to make available to them all such records and information pertaining to employees of Civil Defense as they or either of them may request for the purpose of administration of the System.

**ARTICLE X
INCREASE IN BENEFITS**

Section 1. AUTHORITY OF THE CITY.

The Governing Body of any city, subject to the limitations of this Article, shall by ordinance provide for an increase in the monthly retirement benefits provided as follows: In Article VI, Section 1 a, from 1.083% of final average salary multiplied by the number of years of credited service to 1.3334% of final average salary, multiplied by the number of years of credited service; in Article VI, Section 1 b, from 1-7/8 % to 2% of final average salary multiplied by the number of years of credited service; in Article VI, Section 2, the limitation provided from 56-1/4 % to 60% of final average salary; in Article VI, Section 3, from 1-7/8 % of final average salary multiplied by the number

of years of credited service, to 2% of final average multiplied by the number number of years of credited service; in Article VI, Section 4, from 1-7/8 % of final average salary, multiplied by the number of years of credited service to 2% of final average salary multiplied by the number of years of credited service, with a change in the limitation from 65% to 70% of final average salary; in Article VI, Section 6, from 1-7/8 % of final average salary, multiplied by the number of years of credited service to 2% of final average salary multiplied by the number of years of credited service; in Article VI, Section 7, from 1-7/8 % of final average salary multiplied by the number of years of credited service to 2% of final average salary multiplied by the number of years of credited service and also in Article VI, Section 7, the maximum provided from 41-86/100% of final average salary to sixty per cent (60%) of final average salary, but not to exceed sixty per cent (60%) of final average salary.

Section 2. THE ORDINANCE.

The ordinance shall be adopted by the Governing Body of such city and in addition to the increase in benefits shall provide that annually the actuaries referred to in Article V, Section 2 of this Act, shall determine separately the increase in current service cost and past service cost attributable to the increased benefits provided for by the ordinance and that any such increase in cost as determined by the report of the actuaries shall be divided equally between the City and the Participants in the Service of the City, payable by deduction from the salary of the Participant and payment of such amounts into the Fund and payment into the Fund by the City of the increased cost which it is required to pay hereunder. The additional deductions from the salary of Participants required by the ordinance and this Article X shall be in addition **to the deduction from the salary of Participants required by Article V, Section 1.** The increased payment from the City required by the Ordinance and this Article X shall be in addition to the payments which would have been required of the City under Article X had the additional benefits not been provided. The additional deductions from the salary of Participants in the service and the additional contribution from the City required by such an ordinance and this Article X shall commence on the first day of the Fiscal year of the System subsequent to the receipt of the actuary's report referred to in Article V, Section 2 of this Act.

Section 3. ELECTION BY PARTICIPANTS REQUIRED.

Any city now subject to the provisions of this Act shall, within ninety days after the effective date of this amendatory act, and any city becoming subject to the provisions of this Act in the future, shall within ninety days after the date of establishment as applied to such city provide for an election to be held at which all Participants in the service of the City may vote in favor of or against the increase in benefits provided by such ordinance. If a majority of the Participants in the service of the City who vote in such election votes in favor of such ordinance, the same shall become effective according to its provisions on the 1st day of the calendar month subsequent to said election. If a majority of the Participants in the service of the City voting in said election votes against said ordinance, then said ordinance shall not become effective.

Section 4. PROCEDURE FOR CALLING THE ELECTION.

The governing body of any City shall have authority to call the election required by this Article X to provide for reasonable notice of such election to

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Participants in the service of the City, to provide places at which such Participants may vote, to appoint managers and clerks to conduct such election, to furnish ballots therefor, to provide reasonable rules and regulations for the conduct of the election and to do any and all things reasonably necessary or desirable to do in order to hold such election.

ARTICLE XI

Section 1. FUTURE INCREASE IN BENEFITS.

Any increase in cost to the system resulting from future increases in benefits shall be shared equally by the City and the Participants in the manner provided in Article X hereof.

ARTICLE XII
SEVERABILITY

Section 1. The provisions of this Act shall be severable. Should any Article, section or provision hereof be held invalid or unenforceable by a Court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remaining sections or provisions hereof."

Section 2. This Amendatory Act shall become effective on the first day of the calendar month next succeeding the calendar month in which this Act shall be approved by the Governor, or otherwise become a law.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Doss	Lutz	Robertson
Adams	Downing	McBride	St. John
Bank	Easters	McMillan	Stewart
Barkett	Fite	Manley	Stokes
Barron	Gafford	Mathews	Stubbs
Boles	Goodwin	May	Timmons
Brassell	Grainger	Merrill	Turner
Carnes	Grey (D)	Naramore	Turnham
Carter	Headley	Nettles	Waldrop
Casey	Hearn	Owens	Wallace
Chesnut	Hill	Porter	Warren
Collins	Hobbie	Pruitt	Weeks
Connell	Hughes	Reed (T)	Wise
Cottingham	Jackson	Reid (R)	Wood
Cross	King	Reynolds	Wynot
Culver			

—61

On motion of Mr. Doss, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 620.

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. Timmons, Falkenburg and Doss.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 179. EXPRESSING THE REGRET OF THE LEGISLATURE UPON THE DEATH OF BRYCE C. DAVIS.

Also:

H. J. R. 183. COMMENDING COLBERT COUNTY HIGH SCHOOL ON ITS OUTSTANDING SPORTS RECORD.

Also:

H. J. R. 192. MOURNING THE DEATH OF MERVYN HAYDEN STERNE.

Also:

H. J. R. 194. COMMENDING E. L. STEWART.

Also:

H. J. R. 197. MOURNING THE DEATH OF THOMAS W. BRADFORD.

Also:

H. J. R. 202. GIVING TRIBUTE TO THE LIFE OF JAMES EDWIN HORTON, JR.

Also:

H. J. R. 203. THANKING THOSE RESPONSIBLE FOR THE PORK PRODUCERS' BARBECUE.

Also:

H. J. R. 204. MOURNING THE DEATH OF MILLIGAN EARNEST.

Also:

H. J. R. 205. COMMENDING DR. BURIS R. BOSHELL.

Also:

H. J. R. 206. COMMENDING THE HONORABLE HARTWELL B. LUTZ OF MADISON COUNTY.

Also:

H. J. R. 214. COMMENDING COLBERT COUNTY HIGH SCHOOL ON ITS OUTSTANDING SPORTS RECORD.

Also:

H. J. R. 212. WISHING MRS. ALICE J. DUCK "BEST WISHES" DURING HER RETIREMENT YEARS.

Also:

H. J. R. 213. COMMENDING JOHN RUSSELL PARRISH.

Also:

H. J. R. 215. HONORING COMPANY C, FIRST BATTALION, 20TH SPECIAL FORCES GROUP (AIRBORNE) OF THE FIRST SPECIAL FORCES.

Also:

H. J. R. 216. DESIGNATING MR. BOB CAIN AND THE CANE-BREAKERS AS THE OFFICIAL BAND OF THE 1973 ALABAMA LEGISLATURE.

Also:

H. J. R. 217. COMMENDING THOMAS HAROLD ESPY FOR HIS WORK WITH THE STATE HIGHWAY DEPARTMENT.

Also:

H. J. R. 225. COMMENDING WILLIAM B. COOPER OF ROSINTON FOR HIS DILGENT AND DEDICATED SERVICE TO THE PEOPLE OF BALDWIN COUNTY.

Also:

H. J. R. 226. MOURNING DEATH OF GEORGE HAMMERLY COPELAND.

Also:

H. J. R. 227. EXPRESSING THE REGRET OF THE LEGISLATURE UPON THE DEATH OF MR. R. C. WILLIAMS.

Also:

H. J. R. 231. COMMENDING JOHN SCOTT OF THE CAPITOL SECURITY FORCE FOR HIS EXCELLENT ATTITUDE IN THE PERFORMANCE OF HIS DUTIES.

Also:

H. J. R. 241. MOURNING THE DEATH OF MRS. IRENE WELCH OF MONTGOMERY.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Owen and Pelham:

S. 698. To make appropriations from the general fund in the State Treasury to the Board of Corrections Fund to be used for Law Enforcement Planning Agency matching funds for the fiscal years ending September 30, 1974 and 1975.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing

Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 698. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 166. TO NAME THE COOSA RIVER BRIDGE AT SOUTHSIDE, ALABAMA, AFTER SENATOR RICHARD MALONE.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendments to the following Senate Bills:

S. 137. To amend Title 52, Section 166 of the Code of Alabama of 1940; to provide that the city board of education shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the state superintendent of education.

Also:

S. 138. To amend Title 52, Section 73 of the Code of Alabama of 1940; to provide that the county board of education shall adopt written policies with regard to education and to provide that such written policies shall be made available to all employees of the board.

Also:

S. 461. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in judicial circuits composed of one county and having not less than four nor more than six Circuit Judges.

Also:

S. 506. To create the office of Ex-officio Judge of any County Court exercising original jurisdiction over general misdemeanors in Judicial Circuits composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people according to the last and any subsequent decennial Federal census; to prescribe the powers, duties and authority of the Ex-officio Judge; to provide for the appointment of such Ex-officio Judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him, and to provide a Supervisory Board, and prescribe its authorities and responsibilities.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 756. To provide for the creation of a department of the state to be known as the Department of Youth Services; to prescribe the powers and duties of the said department; to provide for the creation of the Alabama Youth Services board; to provide for the selection of the members of the said board; to prescribe the powers and duties of the board; to provide for the appointment of a State Youth Services Director, and to prescribe the powers, duties, and qualifications of the said Director; to transfer control of the state training schools to the department, to provide court review of the decisions of the said board; to provide for reports to the Governor; to provide for the submission of an annual budget; to require competitive bidding; to authorize medical, psychiatric, surgical, and dental care for the youth of the state; to provide for the treatment, education, and disposition of youth in the custody of the said department of the said board; and to prescribe penalties for the violation of this Act.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING

And the bill:

H. 1832. (With Substitute): To amend Section 2 of Act No. 167, H. 231, Regular Session 1955 (Acts 1955, p. 431), which provides for the composition of the Supervisory Committee of the Mobile County Personnel Board, so as to further provide for such composition.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on local Legislation No. 3, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 167, H. 231, Regular Session 1955 (Acts 1955, p. 431), which provides for the composition of the Supervisory Committee of the Mobile County Personnel Board, so as to further provide for such composition.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 167, H. 231, Regular Session 1955 (Acts 1955, p. 431), is amended to read as follows:

"Section 2. The Supervisory Committee of the Mobile County Personnel Board shall be composed of each of the three commissioners of the City of Mobile, the Mayor of the City of Prichard, and the President of the Mobile County Commission who shall serve on such committee during the term of their respective offices. Such committee shall also include: one member to

be elected by the city commissioners of the City of Mobile who shall hold office for a term of two years beginning on the date this Act becomes effective and until his successor is appointed and has qualified, and his successors shall hold office for terms of six years, the first of which shall begin two years after the passage of this Act and the subsequent terms shall begin each six years thereafter; one member to be elected by the municipalities in Mobile County outside the city limits of the City of Mobile who shall hold office for a term of four years beginning on the date this Act becomes effective and until his successor is appointed and has qualified, and his successors shall hold office for terms of six years, the first of which shall begin four years after the passage of this Act and the subsequent terms shall begin each six years thereafter; one circuit judge of the thirteenth judicial circuit to be elected by the circuit judges of the thirteenth judicial circuit who shall hold office for a term of six years beginning on the date this Act becomes effective in said county and until his successor has been appointed and has qualified, and his successors shall hold office for terms of six years, the first of which shall begin six years after the passage of this Act and the subsequent term shall begin each six years thereafter, provided, however, that such member elected from among the circuit judges of the thirteenth judicial circuit shall serve on such committee only so long as he is serving as a circuit judge of the thirteenth judicial circuit; and one person to be elected by the Merit System Employees Association of Mobile County who shall hold office for a term of six years beginning on the date this Act becomes effective in said county and until his successor has been appointed and has qualified, and his successors shall hold office for terms of six years, the first of which begin six years after the passage of this Act and the subsequent terms shall begin each six years thereafter.

"Any vacancy occurring on such committee among any of the members elected by the commissioners of the City of Mobile, the municipalities in Mobile County outside the city limits of the City of Mobile, the merit system employees' association of Mobile County, or the circuit judges of the thirteenth judicial circuit shall be filled by an election held by the respective electing body with the authority to elect the member of the board where such vacancy has occurred; such election to be held within 30 days after the occurrence of such vacancy."

Section 2. Each body authorized to elect a member of such committee shall, within 30 days after the effective date of this act, cause an election to be conducted to elect such committee member.

Section 3. The committee created under the provisions of this act shall take office 30 days after the effective date of this act.

Section 4. All laws and parts of laws in conflict with the provisions of this act shall be and the same are hereby repealed.

Section 5. This act shall take effect immediately upon its passage by the Legislature and approval by the Governor, or upon its otherwise becoming a law.

SUBSTITUTE TABLED

On motion of Mr. Downing, the substitute reported by the Standing Committee on Local Legislation No. 3 to the bill, H. 1832, was tabled.

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Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

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Mr. Downing offered the following substitute to the bill, H. 1832:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 167, H. 231, Regular Session 1955 (Acts 1955, p. 431), which provides for the composition of the Supervisory Committee of the Mobile County Personnel Board, so as to further provide for such composition.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 167, H. 231, Regular Session 1955 (Acts 1955, p. 431), is amended to read as follows:

“Section 2. The Supervisory Committee of the Mobile County Personnel Board shall be composed of the persons holding each of the following elective offices in Mobile County, Alabama, namely, the presiding judge of the circuit court, the judge of probate, the judge of the Court of General Sessions, the tax assessor, the tax collector, the county license commissioner, the chairman of the County Commissioners, the sheriff, and the mayor of each of the incorporated towns and cities in Mobile County and three members appointed by the Mobile City Commission. The presiding judge of the circuit court of Mobile County shall be chairman of the committee.”

Section 2. Each body authorized to elect a member of such committee shall, within 30 days after the effective date of this act, cause an election to be conducted to elect such committee member.

Section 3. The committee created under the provisions of this act shall take office 30 days after the effective date of this act.

Section 4. All laws and parts of laws in conflict with the provisions of this act shall be and the same are hereby repealed.

Section 5. This act shall take effect immediately upon its passage by the Legislature and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Gray (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill, H. 1832 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cross	Hill	Nettles
Adwell	Culver	Hobbie	O'Daniel
Agee	Downing	Hughes	Owens
Barkett	Drake	Jackson	Porter
Barron	Easters	Jones (F)	Pruitt
Benton	Edwards	King	Reed (T)
Boles	Ellis	Kinsey	Reynolds
Boutwell	Erdreich	Lang	Roberts
Bowers	Falkenburg	Lutz	Robertson
Brassell	Fite	McBride	St. John
Callahan	Gafford	McCluskey	Smith (K)
Carnes	Goodwin	McCorquodale	Smith (P)
Carter	Grainger	McDonald	Stewart
Casey	Gray (F)	McMillan	Stokes
Chesnut	Gray (D)	McNair	Stubbs
Connell	Hale	Meeks	Taylor
Coshatt	Hardin	Merrill	Timmons
Cottingham	Headley	Mims	Turner
Crawford	Hearn	Naramore	Turnham

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Waggoner
Waldrop
Wallace

Warren
Weeks

Williams
Wise

Wood
Wynot

—85

And the bill:

H. 2130. Relating to Cleburne County; providing for the construction, maintenance and repair of public roads, highways and bridges under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads and bridges of Cleburne County.

Was taken up.

Mr. Casey offered the following amendment to the bill:

Delete Section 15 in its entirety and insert in lieu thereof the following:

Section 15. The several provisions of this act shall become operative in Cleburne County only if they are first approved by a majority of the qualified electors of the county who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution. It shall be held on the same day as the 1974 general election. Notice of the election shall be given by the judge of probate of the county, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the provisions to be voted on shall be stated substantially as follows: "Shall the provisions of Act No. _____ of the Legislature, approved the _____ day of _____ 197____, which provides for the construction, maintenance, and repair of public roads, highways and bridges in Cleburne County be adopted? Yes () or No ()." If a majority of the votes cast on such question are affirmative, the provisions of this act shall be in full force and effect, pursuant, however, to the effective date of this act. If a majority of the votes cast on a question are negative, the provisions of this act shall have no further effect. Nothing in this act shall be construed as invalidating any ballot for the reason that no vote was cast on one or more questions. The judge of probate of the county shall certify the results of the election to the secretary of state within thirty days after returns have been canvassed.

Section 16. An additional referendum election shall be conducted in the same manner as provided by Section 15 of this act; the proposition to be voted on shall be stated substantially as follows: "Do you favor the construction, maintenance, and repair of public roads in Cleburne County by the State of Alabama? Yes () or No ()." The results of the referendum question provided for in this section shall have no effect on the determination of the operation of the provisions of this act; but shall be prima facie evidence of the people's feelings concerning the construction, maintenance, and repair of public roads in Cleburne County by the State.

Section 17. This act shall become effective for the purpose of holding the referendum elections hereinabove provided for immediately upon its passage and approval by the Governor or its otherwise becoming law; all other provisions of this act shall become effective immediately upon the certifica-

tion of the results of the election which reflect approval of the question as set out in Section 15 of this act.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill, H. 2130 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

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And the bill:

H. 2174. Relating to counties having populations of not less than 16,350 nor more than 16,650 according to the most recent federal decennial census, requiring all railroad operators operating in such counties to erect and maintain proper mechanical warning devices at all grade crossings in such counties.

Was taken up.

H. 2174 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 2174, was postponed to the thirty-fifth legislative day.

And the bill:

H. 2175. Relating to counties having populations of not less than 16,000 nor more than 16,250 according to the most recent federal decennial census, requiring all railroad operators operating in such counties to erect and maintain proper mechanical warning devices at all grade crossings in such counties.

Was taken up.

H. 2175 POSTPONED

On motion of Mr. McCorquodale, the bill, H. 2175, was postponed to the thirty-fifth legislative day.

And the bill:

H. 2199. To repeal Act No. 165, H. 130, Third Special Session of 1971, (Acts 1971, p. 4413) entitled, "Relating to counties having a population of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; to provide for the payment of a clerk hire allowance in the Probate Judge's office of such counties."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Gray (F)	McCluskey
Adwell	Cottingham	Grey (D)	McCorquodale
Agee	Crawford	Hale	McDonald
Barkett	Cross	Hardin	McMillan
Barron	Culver	Headley	McNair
Benton	Downing	Hearn	Meeks
Boles	Drake	Hill	Merrill
Boutwell	Easters	Hobbie	Mims
Bowers	Edwards	Hughes	Naramore
Brassell	Ellis	Jackson	Nettles
Callahan	Erdreich	Jones (F)	O'Daniel
Carnes	Falkenburg	King	Owens
Carter	Fite	Kinsey	Porter
Casey	Gafford	Lang	Pruitt
Chesnut	Goodwin	Lutz	Reed (T)
Connell	Grainger	McBride	Reynolds

Roberts	Stokes	Turnham	Weeks
Robertson	Stubbs	Waggoner	Williams
St. John	Taylor	Waldrop	Wise
Smith (K)	Timmons	Wallace	Wood
Smith (P)	Turner	Warren	Wynot
Stewart			

—85

And the bill:

S. 826. Relating to Dale County, providing for the establishment of a consolidated and unified system of assessment and collection of taxes and for the collection of delinquent privilege license fees under the supervision of an elective county official designated as county revenue commissioner; prescribing the powers, duties, term of office and compensation of said county revenue commissioner, and providing for his election; abolishing the county offices of tax assessor, tax collector and license inspector in Dale County, providing for the duties of the office of license inspector of Dale County temporarily to be performed by the tax collector of Dale County and thereafter to be performed by the county revenue commissioner created by this Act; repealing conflicting laws; and prescribing the effective date of this Act.

Was taken up.

Mr. Barkett offered the following amendment to the bill:

In Section 1, as amended, in the first sentence thereof, strike out the words and figures: "the first Monday after the second Tuesday in January 1979," and insert in lieu thereof the following: October 1, 1979

Also in the last sentence in said Section 1 strike out the words and figures, "**first Monday after the second Tuesday in January**," and insert in lieu thereof the following: first day of October

Also in Section 7, as amended in the first sentence thereof strike out the words and figures, "the first Monday after the second Tuesday in January 1979," and insert in lieu thereof: October 1, 1979,

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Hale	McMillan
Adwell	Crawford	Hardin	McNair
Agee	Cross	Headley	Meeks
Barkett	Culver	Hearn	Merrill
Barron	Downing	Hill	Mims
Benton	Drake	Hobbie	Naramore
Boles	Easters	Hughes	Nettles
Boutwell	Edwards	Jackson	O'Daniel
Bowers	Ellis	Jones (F)	Owens
Brassell	Erdreich	King	Porter
Callahan	Falkenburg	Kinsey	Pruitt
Carnes	Fite	Lang	Reed (T)
Carter	Gafford	Lutz	Reynolds
Casey	Goodwin	McBride	Roberts
Chesnut	Grainger	McCluskey	Robertson
Connell	Gray (F)	McCorquodale	St. John
Coshatt	Grey (D)	McDonald	Smith (K)

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Smith (P)	Timmons	Waldrop	Williams
Stewart	Turner	Wallace	Wise
Stokes	Turnham	Warren	Wood
Stubbs	Waggoner	Weeks	Wynot
Taylor			—85

And the bill, S. 826 as thus amended, was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			—85

And the bill:

H. 2260. Relating to counties having a population of 500,000 inhabitants or more, according to the most recent federal decennial census; to provide that the provisions of the statewide cosmetology Act, viz: Act No. 653, H. 489, 1957 Regular Session, as amended, shall apply to such counties and repealing all conflicting laws.

Was taken up.

Mr. Timmons offered the following amendment to the bill:

Delete the title and insert in lieu thereof the following new title:

Relating to counties having populations of 500,000 or more inhabitants, according to the most recent federal decennial census; providing for a referendum to be held in such counties whereby the licensed cosmetologists of such counties shall determine whether they want such county to come under the provision of the state-wide Cosmetology Act, viz: Act No. 653, H. B. 489, 1957 Regular Session, as amended; and repealing conflicting laws.

Also, delete Section 1 and insert in lieu thereof the following new Section 1:

Section 1. In all counties having populations of 500,000 or more inhabitants, according to the most recent federal decennial census, the presiding

Judge of the Tenth Judicial Circuit shall within thirty (30) days after the effective date of this act call a referendum thirty (30) days thereafter of all licensed cosmetologists in such county to determine whether such cosmetologists shall elect to come under the provisions of the state-wide Cosmetology Act, viz: Act No. 653, H. B. 489, 1957 Regular Session, as amended. Such presiding Judge is hereby granted the authority to administer and oversee all aspects of such referendum. Said referendum shall be conducted by secret ballot.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

H. 2260. Relating to counties having populations of 500,000 or more inhabitants, according to the most recent federal decennial census; providing for a referendum to be held in such counties whereby the licensed cosmetologists of such counties shall determine whether they want such county to come under the provision of the state-wide Cosmetology Act, viz: Act No. 653, H. B. 489, 1957 Regular Session, as amended; and repealing conflicting laws.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Chesnut	Downing
Adwell	Bowers	Connell	Drake
Agee	Brassell	Coshatt	Easters
Barkett	Callahan	Cottingham	Edwards
Barron	Carnes	Crawford	Ellis
Benton	Carter	Cross	Erdreich
Boles	Casey	Culver	Falkenburg

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Fite	King	Nettles	Stubbs
Gafford	Kinsey	O'Daniel	Taylor
Goodwin	Lang	Owens	Timmons
Grainger	Lutz	Porter	Turner
Gray (F)	McBride	Pruitt	Turnham
Grey (D)	McCluskey	Reed (T)	Waggoner
Hale	McCorquodale	Reynolds	Waldrop
Hardin	McDonald	Roberts	Wallace
Headley	McMillan	Robertson	Warren
Hearn	McNair	St. John	Weeks
Hill	Meeks	Smith (K)	Williams
Hobbie	Merrill	Smith (P)	Wise
Hughes	Mims	Stewart	Wood
Jackson	Naramore	Stokes	Wynot
Jones (F)			

—85

UNANIMOUS CONSENT GRANTED

At the request of Mr. Gafford, unanimous consent was granted for the Journal to show him voting "Nay" on the bill, H. 2260.

And the bill:

H. 2084. (With Amendment): To amend Section 2 of an Act of the Legislature of Alabama approved Aug. 6, 1947, entitled

"An Act to authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Mobile County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collecting of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and the designation of personnel to operate said Library, or to assist therein, and the employment of additional personnel for said purpose, and the payment of the salaries of such personnel,". (Local Acts 1947 p. 172)

To increase the court costs to Two Dollars in proceedings in the Circuit Court of Mobile County, Alabama for the purposes of such Act.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

In Section 2 of the act of the Legislature, approved August 6, 1947, which is amended and set out in Section 1 of said H. B. 2084, strike out the words and figures, "Two Dollars (\$2.00)," and insert in lieu thereof the following: One Dollar and Fifty Cents (\$1.50)

Also strike out the quotation marks at the end of said Section 2 of the 1947 Act and add in lieu thereof and as a part of such section the following:

In addition to the above trial tax there shall also be paid into such special fund and used for the maintenance of said library fifty cents out of each two dollars taxed and collected pursuant to Act No. 126, H. 58 of the First Special Session of 1971, as amended."

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill, H. 2084 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

H. 2229. To amend further Section 9 of Act No. 243, H. 278, First Special Session 1964 (Acts 1964, P. 326), as amended, which fixes the mem-

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bership of the Board of Policemen's and Fire Fighters' Pensions of the City of Mobile, so as to provide for election of certain members of such board, to amend Sections 14 and 15 of Act No. 243, H. 278, First Special Session 1964 (Acts 1964, P. 326), as amended which provide for the retirement of members or former members of the Mobile Police and Fire Departments, so as to provide that except in the case of a merit raise, no member's salary shall be raised within six (6) months before retirement.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

H. 2236. To provide that the provisions of Act No. 403, H. 330, of the Regular Session of 1971 (Acts 1971, p. 689) which provides for the registration and licensing of barbers, barber apprentices and barber colleges, shall not apply in any counties in this state having populations of not less than 300,000 and not more than 600,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Chesnut	Downing
Adwell	Bowers	Connell	Drake
Agee	Brassell	Coshatt	Easters
Barkett	Callahan	Cottingham	Edwards
Barron	Carnes	Crawford	Ellis
Benton	Carter	Cross	Erdreich
Boles	Casey	Culver	Falkenburg

Fite	King	Nettles	Stubbs
Gafford	Kinsey	O'Daniel	Taylor
Goodwin	Lang	Owens	Timmons
Grainger	Lutz	Porter	Turner
Gray (F)	McBride	Pruitt	Turnham
Grey (D)	McCluskey	Reed (T)	Waggoner
Hale	McCorquodale	Reynolds	Waldrop
Hardin	McDonald	Roberts	Wallace
Headley	McMillan	Robertson	Warren
Hearn	McNair	St. John	Weeks
Hill	Meeks	Smith (K)	Williams
Hobbie	Merrill	Smith (P)	Wise
Hughes	Mims	Stewart	Wood
Jackson	Naramore	Stokes	Wynot
Jones (F)			

And the bill:

H. 2235. To authorize and make provisions for the incorporation in any municipality having a population of not less than 175,000 nor more than 250,000 according to the last or any subsequent Federal Decennial Census of an Authority as a public corporation for the purpose of providing public transportation service in such county, upon the filing of an application with, and the authorization of such incorporation by, the governing body of any such municipality within which any such Authority proposes to furnish any such service; to provide for the amendment of the certificate of incorporation of any such Authority for certain purposes at any time, upon the authorization of each such amendment by the governing body of the municipality by which its incorporation was authorized; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance one or more transit systems; to confer on any such Authority the power of eminent domain; to authorize any such Authority to expend funds for the purchase or lease of materials, equipment supplies or other personal property involving less than \$2,000 without compliance with the provisions of Act No. 217 (1967 Special Session) as amended that might otherwise be applicable; to employ officers, employees and agents without regard to any provisions of Act No. 217 (197 Special Session), as amended, or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by it; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of the following: (a) any tax proceeds appropriated, allocated or made payable (in whole or in part) to such Authority by or pursuant to any act of the legislature of this state or by or pursuant to any ordinance, resolution or order of any county in which the Authority is authorized to furnish transportation service or any municipality located in such county and (b) the revenues of any one or more of the transit systems of such Authority, without regard to the system or systems with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the

revenues from which sum securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any transit system, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state, to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that each such Authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such Authority; to require the board of directors of any such authority to adopt an annual budget and to cause annual audits of the books and records of such authority to be made; to permit membership in labor organizations by employees of any such Authority; to provide that no employee of any such Authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; and to provide for the dissolution of any such Authority and the disposition of its property.

Was taken up.

Mr. Therrell offered the following amendment #1 to the bill, H. 2235:

Amend House Bill 2235 by deleting the semicolon at the end of Section 8(13) and adding the following: "or any rights owned or held by railroads or utilities, both public and private;"

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Callahan	Culver	Goodwin
Adwell	Carnes	Downing	Grainger
Agee	Carter	Drake	Gray (F)
Barkett	Casey	Easters	Grey (D)
Barron	Chesnut	Edwards	Hale
Benton	Connell	Ellis	Hardin
Boles	Coshatt	Erdreich	Headley
Boutwell	Cottingham	Falkenburg	Hearn
Bowers	Crawford	Fite	Hill
Brassell	Cross	Gafford	Hobbie

Hughes	McNair	Reynolds	Turner
Jackson	Meeks	Roberts	Turnham
Jones (F)	Merrill	Robertson	Waggoner
King	Mims	St. John	Waldrop
Kinsey	Naramore	Smith (K)	Wallace
Lang	Nettles	Smith (P)	Warren
Lutz	O'Daniel	Stewart	Weeks
McBride	Owens	Stokes	Williams
McCluskey	Porter	Stubbs	Wise
McCorquodale	Pruitt	Taylor	Wood
McDonald	Reed (T)	Timmons	Wynot
McMillan			

—85

Mr. Therrell offered the following amendment #2 to the bill, H. 2235 as amended:

Amend Section 4 of said bill by deleting the same in its entirety, and substituting in lieu thereof the following:

"Section 4. Filing of Application; Authorization of Incorporation by Governing Body of Authorizing Municipality. A public corporation may be organized pursuant to the provisions of this Act in any municipality having a population of not less than 175,000 nor more than 250,000 according to the last or any subsequent Federal Decennial Census. In order to incorporate such a public corporation, any number of natural persons, not less than three, shall first file a written application with the governing body of the municipality which application shall:

(1) Contain a statement that the Authority proposes to render public transportation service in such county;

(2) State the proposed location of the principal office of the Authority, which shall be within the municipality where such application is filed;

(3) State that each of the applicants is a duly qualified elector of the municipality where such application is filed; and

(4) Request that such governing body adopt a resolution declaring that it is wise, expedient, and necessary that the proposed Authority be formed and authorizing the applicants to proceed to form the proposed Authority by the filing for record of a certificate of incorporation in accordance with the provisions of Section 5 hereof.

(5) Contain a statement that the Authority will utilize the Planning Commission of said Municipality as the planning agency for the Authority if the Municipality has a Planning Commission.

Such application shall be accompanied by such supporting documents or evidence as the applicants may consider appropriate. As promptly as may be practicable after the filing of the application with them in accordance with the provisions of this section, the governing body of the municipality with which the application was filed shall review the contents of the application and shall adopt resolutions either (a) denying the application or (b) declaring that it is wise, expedient, and necessary that the proposed Authority be formed and authorizing the applicants to proceed to form the proposed Authority by the filing for record of a certificate of incorporation in accordance with the provisions of Section 5 hereof. Each governing body with which an application is filed shall also cause a copy of the application

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to be spread upon or otherwise made a part of the minutes of the meeting of such governing body at which final action upon said application is taken."

Amend Section 5 of said bill by deleting subsections (4) and (6) in their entirety, and substituting in lieu thereof the following:

"(4) The name of the authorizing municipality, together with the date on which the governing body thereof adopted authorizing resolution;"

"(6) That the Authority is organized pursuant to the provisions of this Act for the purpose of planning for and supplying balanced mode public transportation service in the authorizing municipality; in any other municipality in the county in which the authorizing municipality is located; in any other municipality or county in the state, and in any other Gulf Coast State in cooperation with the authorized transportation authorities of said other Gulf Coast States and their political subdivision.

Amend Section 24 thereof by deleting same in its entirety and substituting in lieu thereof the following:

"Section 24. Effective date of Act. This Act shall become effective on the 20th day of October, 1973."

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill, H. 2235 as thus amended, was read a third time at length and passed and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Barron	Bowers	Carter
Adwell	Benton	Brassell	Casey
Agee	Boles	Callahan	Chesnut
Barkett	Boutwell	Carnes	Connell

Coshatt	Hale	McMillan	Smith (P)
Cottingham	Hardin	McNair	Stewart
Crawford	Headley	Meeks	Stokes
Cross	Hearn	Merrill	Stubbs
Culver	Hill	Mims	Taylor
Downing	Hobbie	Naramore	Timmons
Drake	Hughes	Nettles	Turner
Easters	Jackson	O'Daniel	Turnham
Edwards	Jones (F)	Owens	Waggoner
Ellis	King	Porter	Waldrop
Erdreich	Kinsey	Pruitt	Wallace
Falkenburg	Lang	Reed (T)	Warren
Fite	Lutz	Reynolds	Weeks
Gafford	McBride	Roberts	Williams
Goodwin	McCluskey	Robertson	Wise
Grainger	McCorquodale	St. John	Wood
Gray (F)	McDonald	Smith (K)	Wynot
Grey (D)			

And the bill:

H. 2114. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

Was taken up.

Messrs. Smith (P) and McCluskey offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama, be, and the same are hereby, extended altered and rearranged so as to include within the corporate limits of said Town all of the following described territory:

All of the East Half ($E\frac{1}{2}$), the East Half of the East Half of the West Half ($E\frac{1}{2}$ of $E\frac{1}{2}$ of $W\frac{1}{2}$), the South Three-Fourths of the West Half of the Southeast Quarter of the Southwest Quarter ($S\frac{3}{4}$ of $W\frac{1}{2}$ of $SE\frac{1}{4}$ of $SW\frac{1}{4}$), and the South Three-Fourths of the Southwest Quarter of the Southwest Quarter ($S\frac{3}{4}$ of $SW\frac{1}{4}$ of $SW\frac{1}{4}$) of Section 21; the West Half ($W\frac{1}{2}$) of Section 22; the West Half ($W\frac{1}{2}$) and the Northeast Quarter ($NE\frac{1}{4}$) and all of the Southeast Quarter ($SE\frac{1}{4}$) of Section 27 that is northerly of the southerly right-of-way of U.S. Highway No. 78; all of Section 28; the portions of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ of $SE\frac{1}{4}$) and Fraction "A" of Section 32 that are easterly of the westerly right-of-way line of the Old Talladega-Lincoln Highway (1928-1938) and northerly of U.S. Interstate 20 Highway; also all of the right-of-way of U.S. Interstate 20 Highway in Section 32; All of Section 33; the West Half ($W\frac{1}{2}$) and the South West Quarter of the Southeast Quarter ($SW\frac{1}{4}$ of $SE\frac{1}{4}$) of Section 34, All in Township 16 South, Range 5 East; the North Half ($N\frac{1}{2}$) and the North Half of the Southwest Quarter ($N\frac{1}{2}$ of $SW\frac{1}{4}$) and Alabama Highway No.

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77 right-of-way in the Southwest Quarter of the Southwest Quarter (SW¼ of SW¼) of Section 4, the Northeast Quarter (NE¼ of Section 5, all in Township 17 South, Range 5 East.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall be effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill, H. 2114 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Gray (F)	McCluskey
Adwell	Cottingham	Grey (D)	McCorquodale
Agee	Crawford	Hale	McDonald
Barkett	Cross	Hardin	McMillan
Barron	Culver	Headley	McNair
Benton	Downing	Hearn	Meeks
Boles	Drake	Hill	Merrill
Boutwell	Easters	Hobbie	Mims
Bowers	Edwards	Hughes	Naramore
Brassell	Ellis	Jackson	Nettles
Callahan	Erdreich	Jones (F)	O'Daniel
Carnes	Falkenburg	King	Owens
Carter	Fite	Kinsey	Porter
Casey	Gafford	Lang	Pruitt
Chesnut	Goodwin	Lutz	Reed (T)
Connell	Grainger	McBride	Reynolds

Roberts
Robertson
St. John
Smith (K)
Smith (P)
Stewart

Stokes
Stubbs
Taylor
Timmons
Turner

Turnham
Waggoner
Waldrop
Wallace
Warren

Weeks
Williams
Wise
Wood
Wynot

And the bill:

H. 2254. Applying to cities within the State of Alabama having a population of not less than 135,000, nor more than 185,000, according to the last or any subsequent Federal Decennial Census requiring that no off-premise malt or brewed beverage license shall be issued by the Alcoholic Beverage Control Board of the State of Alabama to an establishment within any such city unless the application therefor has been first approved by the City Council or other governing body of such city, to authorize the City Council or other governing body of such cities to adopt by ordinance such rules and regulations as it may deem necessary and desirable concerning the granting of such applications, to authorize the City Council or other governing bodies of such cities to prescribe by ordinance the type, nature, and design of retail establishments which may now or hereafter be authorized as an off-premise retail malt or brewed beverage license within any such city, and to authorize the City Council or other governing body of such cities to revoke or suspend an off-premise retail malt or brewed beverage license for cause after a public hearing.

Was taken up.

H. 2254 POSTPONED

On motion of Mr. Grainger, the bill, H. 2254, was postponed to the thirty-fifth legislative day.

And the bill:

H. 1923. Proposing an amendment to the Constitution of Alabama authorizing the levy and collection of a special property tax and the issuance and sale of bonds by Tuscaloosa County, the proceeds of which shall be used for the development of parks and multi-recreation areas, and other recreational purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker
Adwell
Agee
Barkett
Barron
Benton
Boles
Boutwell
Bowers
Brassell
Callahan
Carnes

Carter
Casey
Chesnut
Connell
Coshatt
Cottingham
Crawford
Cross
Culver
Downing
Drake
Easters

Edwards
Ellis
Erdreich
Falkenburg
Fite
Gafford
Goodwin
Grainger
Gray (F)
Grey (D)
Hale
Hardin

Headley
Hearn
Hill
Hobbie
Hughes
Jackson
Jones (F)
King
Kinsey
Lang
Lutz
McBride

REGULAR SESSION
34th Day

4833

McCluskey	O'Daniel	Smith (K)	Waggoner
McCorquodale	Owens	Smith (P)	Waldrop
McDonald	Porter	Stewart	Wallace
McMillan	Pruitt	Stokes	Warren
McNair	Reed (T)	Stubbs	Weeks
Meeks	Reynolds	Taylor	Williams
Merrill	Roberts	Timmons	Wise
Mims	Robertson	Turner	Wood
Namore	St. John	Turnham	Wynot
Nettles			

—85

And the bill:

H. 1924. To require the county commission or like governing body of Tuscaloosa County to call an election to determine the sentiment of the voters of the county: (1) relative to levying additional ad valorem tax for developing parks and multi-recreation areas or facilities, as authorized by the amendment to the Constitution of 1901 proposed by an Act of the 1973 Regular Session, and (2) relative to the incurring of a debt and the issuance of bonds as authorized in such amendment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Gray (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Namore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

H. 2070. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Was taken up.

H. 2070 INDEFINITELY POSTPONED

On motion of Mr. Reed (T), the bill, H. 2070, was indefinitely postponed.

And the bill:

H. 2090. To alter, rearrange and extend the boundaries and corporate limits of the Town of County Line, Blount and Jefferson Counties, Alabama, so as to annex certain territory to the town.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Gray (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

H. 2273. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census; providing for no mandatory fees of any kind to be collected from children attending any school under the supervision or control of any county or city board of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Boles	Carter	Crawford
Adwell	Boutwell	Casey	Cross
Agee	Bowers	Chesnut	Culver
Barkett	Brassell	Connell	Downing
Barron	Callahan	Coshatt	Drake
Benton	Carnes	Cottingham	Easters

REGULAR SESSION

4835

34th Day

Edwards	Hughes	Mims	Stokes
Ellis	Jackson	Naramore	Stubbs
Erdreich	Jones (F)	Nettles	Taylor
Falkenburg	King	O'Daniel	Timmons
Fite	Kinsey	Owens	Turner
Gafford	Lang	Porter	Turnham
Goodwin	Lutz	Pruitt	Waggoner
Grainger	McBride	Reed (T)	Waldrop
Gray (F)	McCluskey	Reynolds	Wallace
Grey (D)	McCorquodale	Roberts	Warren
Hale	McDonald	Robertson	Weeks
Hardin	McMillan	St. John	Williams
Headley	McNair	Smith (K)	Wise
Hearn	Meeks	Smith (P)	Wood
Hill	Merrill	Stewart	Wynot
Hobbie			

—85

And the bill:

H. 2275. Relating to counties having populations of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census, providing an additional expense allowance for members of the county board of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

H. 2276. Relating to counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census, requiring all railroad operators operating in such counties to erect and maintain proper mechanical warning devices at all grade crossings in such counties

Was taken up.

H. 2276 INDEFINITELY POSTPONED

On motion of Mr. Stubbs, the bill, H. 2276, was indefinitely postponed.

And the bill:

H. 2277. To apply only in counties having populations of not less than 24,900 nor more than 25,150, to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

H. 2278. (With Amendment): To authorize the county governing body of counties having a population of not less than 23,750 nor more than 24,500, according to the most recent federal decennial census, to pay all dues, fees, and expenses incurred by the Tax Assessors, Tax Collectors, or other like official by membership in their State organization.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In the title and Section 1 strike out the words "23,750 nor more than 24,500" and insert in lieu thereof the following:

23,900 nor more than 24,450

And the amendment was adopted.

REGULAR SESSION
34th Day

4837

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

H. 2278. To authorize the county governing body of counties having a population of not less than 23,900 nor more than 24,450, according to the most recent federal decennial census, to pay all dues, fees, and expenses incurred by the Tax Assessors, Tax Collectors, or other like official by membership in their State organization.

As thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

UNANIMOUS CONSENT GRANTED

At the request of Mr. Perloff, unanimous consent was granted for the Journal to show him voting "Yea" on all local bills.

And the bill:

H. 2279. To authorize the county governing body of counties having a population of not less than 45,500 nor more than 52,000, according to the most recent federal decennial census, to pay all dues, fees, and expenses incurred by the Tax Assessors, Tax Collectors, or other like official by membership in their State organization.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

H. 2282. To provide further for the procedure for redeeming lands sold for taxes in Talladega County; to transfer certain duties of the probate judge of said county to the tax collector and to relieve the probate judge of such duties; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Benton	Callahan	Connell
Adwell	Boles	Carnes	Coshatt
Agee	Boutwell	Carter	Cottingham
Barkett	Bowers	Casey	Crawford
Barron	Brassell	Chesnut	Cross

REGULAR SESSION
34th Day

4839

Culver	Hearn	Meeks	Stewart
Downing	Hill	Merrill	Stokes
Drake	Hobbie	Mims	Stubbs
Easters	Hughes	Naramore	Taylor
Edwards	Jackson	Nettles	Timmons
Ellis	Jones (F)	O'Daniel	Turner
Erdreich	King	Owens	Turnham
Falkenburg	Kinsey	Porter	Waggoner
Fite	Lang	Pruitt	Waldrop
Gafford	Lutz	Reed (T)	Wallace
Goodwin	McBride	Reynolds	Warren
Grainger	McCluskey	Roberts	Weeks
Gray (F)	McCorquodale	Robertson	Williams
Grey (D)	McDonald	St. John	Wise
Hale	McMillan	Smith (K)	Wood
Hardin	McNair	Smith (P)	Wynot
Headley			

—85

And the bill:

H. 2284. Relating to counties having populations of not less than 65,000 inhabitants nor more than 68,000 inhabitants according to the last or any subsequent federal decennial census; to levy a pistol permit fee in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

H. 2286. To amend Section 12 (a) of Act No. 630, S. B. 537 and Act No. 509, H. B. 699, Regular Session of the Legislature of Alabama, 1969, (Alabama Acts, 1969, p. 1150 and p. 971), an act creating and establishing the Houston County Court of Houston County, Alabama, in order to fix ad-

ditional compensation or salary for the Clerk and Register of the Circuit Court and to fix the compensation or salary for the Clerk of the Juvenile Division of said Houston County Court and to provide for the additional office of Deputy Clerk of said Houston County Court, Juvenile Division, and the appointment, duties, terms of office, powers, authority and compensation of the holder of such office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 536. To authorize the Baldwin County governing body to appoint a Baldwin County Industrial Development Commission, to prescribe the powers and duties of and grant funds to said commission.

Was taken up.

S. 536 POSTPONED

On motion of Mr. Kinsey, the bill, S. 536, was postponed to the thirty-fifth legislative day.

And the bill:

S. 537. To authorize the Baldwin County Commission to regulate the minimum size of lots and the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in Baldwin County.

Was taken up.

REGULAR SESSION
34th Day

4841

S. 537 POSTPONED

On motion of Mr. Kinsey, the bill, S. 537, was postponed to the thirty-fifth legislative day.

And the bill:

S. 548. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

Was taken up.

S. 548 POSTPONED

On motion of Mr. Kinsey, the bill, S. 548, was postponed to the thirty-fifth legislative day.

And the bill:

S. 608. To authorize the Baldwin County governing body to appoint a county tourism commission which will promote travel to Baldwin County, to prescribe the powers and duties of and to grant funds from the county governing body to the tourism commission.

Was taken up.

S. 608 POSTPONED

On motion of Mr. Kinsey, the bill, S. 608, was postponed to the thirty-fifth legislative day.

And the bill:

S. 669. Relating to counties having a population of not less than 57,000 nor more than 61,000; authorizing the county governing body of such counties to provide the bailiff of the Circuit Court of such counties additional compensation.

Was taken up.

Mr. Kinsey offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having a population of not less than 57,000 nor more than 61,000; authorizing the county governing body of such counties to provide additional compensation or allowances to certain officers of the circuit courts of such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. In its discretion, the governing body of any county having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, is hereby authorized to provide the bailiff of the Circuit Court additional compensation not to exceed \$2,400 per year to be paid in equal monthly installments, and to provide an expense allowance of not more than \$100 per month to the circuit judge or judges of

the circuit court of such counties. The exact amount of such compensation and allowances shall be fixed by such governing body. Such amounts shall be paid out of the general fund of such counties. The allowance herein provided shall be in addition to any other salary, allowances or other compensation provided by law to the bailiff or to the judge or judges of the Circuit Court of such counties.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

S. 669 POSTPONED

On motion of Mr. Kinsey, the bill, S. 669 as thus amended, was postponed to the thirty-fifth legislative day.

And the bill:

S. 747. Relating to countries having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for an additional expense allowance and an additional clerk hire allowance for the circuit clerk.

Was taken up.

Mr. Kinsey offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for additional expense allowances to the circuit clerk and to the register and an additional clerk hire allowance for the circuit clerk.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, in the discretion of the county governing body, the clerk of the circuit court and the register of such court, each may receive an expense allowance of not more than \$2,000 per annum, the exact amount thereof to be fixed by the county governing body. Such allowances shall be payable in equal monthly installments; and the clerk of the circuit court may also, but in the discretion of such governing body, receive a clerk hire allowance of not more than \$2,400 per annum, the exact amount thereof to be fixed by the county governing body. Such clerk hire allowance shall be payable in equal monthly installments. The allowances provided for in this act shall be paid out of the general fund of said county and shall be in addition to any and all other such allowances, salary and compensation received by the circuit clerk or the register.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

S. 747 POSTPONED

On motion of Mr. Kinsey, the bill, S. 747 as thus amended, was postponed to the thirty-fifth legislative day.

And the bill:

S. 749. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for additional expense allowance for the tax collector and tax assessor.

Was taken up.

Mr. Kinsey offered the following amendment to the bill:

Strike out Section 1 in its entirety and insert in lieu thereof the following:

Section 1. In all counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, the tax collector and tax assessor, in the discretion of the county governing body may each receive an annual expense allowance of not more than \$2,000 per year, the exact amount thereof to be fixed by such county governing body. Such allowance shall be in addition to any and all other compensation and allowances provided for by law, and payable in equal monthly installments.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Gray (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

S. 749 POSTPONED

On motion of Mr. Kinsey, the bill, S. 749 as thus amended, was postponed to the thirty-fifth legislative day.

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And the bill:

S. 777. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing an additional expense allowance for the county solicitor of such counties.

Was taken up.

Mr. Kinsey offered the following amendment to the bill:

Strike out Section 1 in its entirety and insert in lieu thereof the following:

Section 1. In counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, in the discretion of the county governing body, the county solicitor may be entitled to receive an expense allowance from the general funds of such counties of not more than \$100.00 per month, the exact amount thereof to be fixed by the county governing body. The allowance herein provided shall be in addition to any and all other such expense allowances heretofore provided by law.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

S. 777 POSTPONED

On motion of Mr. Kinsey, the bill, S. 777 as thus amended, was postponed to the thirty-fifth legislative day.

And the bill:

S. 778. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing for an additional clerk hire allowance for the offices of probate court within such counties.

Was taken up.

Mr. Kinsey offered the following amendment to the bill:

Strike out Section 1 in its entirety and insert in lieu thereof the following:

Section 1. In counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, in the discretion of the county governing body, the judge of probate may be entitled to receive not more than \$15,000 annually out of the general funds of the county as a clerk hire allowance; the exact amount thereof to be fixed by such governing body. Said allowance shall be in addition to any and all other such allowances heretofore provided by law.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

S. 778 POSTPONED

On motion of Mr. Kinsey, the bill, S. 778 as thus amended, was postponed to the thirty-fifth legislative day.

And the bill:

S. 787. (With Amendment): To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and to provide the means and manner for the payment of the same, so as to provide further for such compensation.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said amendment being as follows:

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Delete Section 2 and 3 and add in lieu thereof the following new Sections 2, 3 and 4:

Section 2. The several provisions of this act shall become operative only if they are first approved by a majority of the qualified electors of the county composing the 31st Judicial Circuit who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution. It shall be held on the same day as the 1974 general election. Notice of the election shall be given by the judge of probate of the county, which notice shall be published once a week for three successive weeks before the day of election. On the ballots to be used at the election, the provisions to be voted on shall be stated substantially as follows: "Shall the provision of Act No. _____ of the Legislature, approved the _____ day of _____, 197____, which provides that the Circuit Judges in the 31st Judicial Circuit shall receive a supplemental compensation from the county composing such judicial circuit of \$3,600.00; and that such judge shall be provided with an office in the county courthouse, be adopted? Yes (_____) or No (_____)." If a majority of the votes cast on a question are affirmative, the provisions of this act covered by that question shall be in full force and effect, pursuant, however, to the effective date of this act. If a majority of the votes cast on the question are negative, the provisions of this act covered by that question shall have no further effect. Nothing in this act shall be construed as invalidating any ballot for the reason that no vote was cast on one or more questions. The judge of probate of the county shall certify the results of the elections to the secretary of state within thirty days after returns have been canvassed.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective for the purpose of holding the referendum election hereinabove provided for immediately upon its passage and approval by the Governor or its otherwise becoming law; the provisions of this act providing a supplementary salary and office for the circuit judges which are approved at said referendum shall take effect immediately upon certification of such approval by the judge of probate of the county.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Fite	Jones (F)
Adwell	Connell	Gafford	King
Agee	Coshatt	Goodwin	Kinsey
Barkett	Cottingham	Grainger	Lang
Barron	Crawford	Gray (F)	Lutz
Benton	Cross	Grey (D)	McBride
Boles	Culver	Hale	McCluskey
Boutwell	Downing	Hardin	McCorquodale
Bowers	Drake	Headley	McDonald
Brassell	Easters	Hearn	McMillan
Callahan	Edwards	Hill	McNair
Carnes	Ellis	Hobbie	Meeks
Carter	Erdreich	Hughes	Merrill
Casey	Falkenburg	Jackson	Mims

Naramore	Roberts	Stubbs	Wallace
Nettles	Robertson	Taylor	Warren
O'Daniel	St. John	Timmons	Weeks
Owens	Smith (K)	Turner	Williams
Porter	Smith (P)	Turnham	Wise
Pruitt	Stewart	Waggoner	Wood
Reed (T)	Stokes	Waldrop	Wynot
Reynolds			

—85

And the bill, S. 787 as thus amended, was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 838. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide an expense allowance for the probate judge of such county.

Was taken up.

Mr. Kinsey offered the following amendment to the bill:

Strike out Section 1 in its entirety and insert in lieu thereof the following:

Section 1. The probate judge of any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census, in the discretion of the county governing body, may receive an annual expense allowance of not more than \$2,000, the exact amount thereof to be fixed by such county governing body. Such expense allowance shall be paid in equal monthly installments from the general funds of the county, and shall be in addition to any other expense allowance, or salary provided such probate judge.

And the amendment was adopted.

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Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

S. 838 POSTPONED

On motion of Mr. Kinsey, the bill, S. 838 as thus amended, was postponed to the thirty-fifth legislative day.

And the bill:

S. 839. Applicable to any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census; to provide an expense allowance for the members of the governing body of such county.

Was taken up.

Mr. Kinsey offered the following amendment to the bill:

Strike out Section 1 in its entirety and insert in lieu thereof the following:

Section 1. Each member of the governing body of any county having a population of not less than 57,000 nor more than 61,000 according to the last federal decennial census, in the discretion of such governing body, may receive an expense allowance of not more than \$2,000 per year, the exact amount thereof to be fixed by such governing body. Such allowance shall be paid from the general funds of such county, and shall be in addition to any other expense allowance, or salary provided the members of such governing body.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boles	Brassell
Adwell	Barron	Boutwell	Callahan
Agee	Benton	Bowers	Carnes

Carter	Grainger	McCorquodale	Smith (K)
Casey	Gray (F)	McDonald	Smith (P)
Chesnut	Grey (D)	McMillan	Stewart
Connell	Hale	McNair	Stokes
Coshatt	Hardin	Meeks	Stubbs
Cottingham	Headley	Merrill	Taylor
Crawford	Hearn	Mims	Timmons
Cross	Hill	Naramore	Turner
Culver	Hobbie	Nettles	Turnham
Downing	Hughes	O'Daniel	Waggoner
Drake	Jackson	Owens	Waldrop
Easters	Jones (F)	Porter	Wallace
Edwards	King	Pruitt	Warren
Ellis	Kinsey	Reed (T)	Weeks
Erdreich	Lang	Reynolds	Williams
Falkenburg	Lutz	Roberts	Wise
Fite	McBride	Robertson	Wood
Gafford	McCluskey	St. John	Wynot
Goodwin			

—85

S. 839 POSTPONED

On motion of Mr. Kinsey, the bill, S. 839 as thus amended, was postponed to the thirty-fifth legislative day.

And the bill:

S. 848. (With Amendment): To provide for supplementing the salary or compensation paid to retired or supernumerary Circuit Judge having more than eighteen (18) years continuous service in office, as a Circuit Judge in the 31st Judicial Circuit of Alabama, consisting of Colbert County, and to provide an office in the Courthouse for such Judge.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Delete Section 3 and add in lieu thereof the following Sections 3 and 4:

Section 3. The several provisions of this act shall become operative only if they are first approved by a majority of the qualified electors of Colbert County who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution. It shall be held on the same day as the 1974 general election. Notice of the election shall be given by the judge of probate of the county, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the provisions to be voted on shall be stated substantially as follows: "Shall the provision of Act No. _____ of the Legislature, approved the _____ day of _____, 197____, which provides that the Supernumerary Circuit Judge in the 31st Judicial Circuit, consisting of Colbert County shall receive a supplemental compensation from the county of \$3,600.00; and that such judge shall be provided with an office in the county courthouse, be adopted? Yes () or No ()." If a majority of the votes cast on a question are affirmative, the provisions of this act covered by that question shall be in full force and effect, pursuant, however, to the effective date of this act. If a majority of the votes cast on the question are negative, the

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provisions of this act covered by that question shall have no further effect. Nothing in this act shall be construed as invalidating any ballot for the reason that no vote was cast on one or more questions. The judge of probate of the county shall certify the results of the election to the secretary of State within thirty days after returns have been canvassed.

Section 4. This act shall become effective for the purpose of holding the referendum election hereinabove provided for immediately upon its passage and approval by the Governor or its otherwise becoming law; the provisions of this act providing a supplementary salary and office for the supernumerary circuit judge which are approved at said referendum shall take effect immediately upon certification of such approval by the judge of probate of the county.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill, S. 848 as thus amended, was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Carnes	Drake	Grey (D)
Adwell	Carter	Easters	Hale
Agee	Casey	Edwards	Hardin
Barkett	Chesnut	Ellis	Headley
Barron	Connell	Erdreich	Hearn
Benton	Coshatt	Falkenburg	Hill
Boles	Cottingham	Fite	Hobbie
Boutwell	Crawford	Gafford	Hughes
Bowers	Cross	Goodwin	Jackson
Brassell	Culver	Grainger	Jones (F)
Callahan	Downing	Grey (D)	King

Kinsey	Mims	Robertson	Turnham
Lang	Naramore	St. John	Waggoner
Lutz	Nettles	Smith (K)	Waldrop
McBride	O'Daniel	Smith (P)	Wallace
McCluskey	Owens	Stewart	Warren
McCorquodale	Porter	Stokes	Weeks
McDonald	Pruitt	Stubbs	Williams
McMillan	Reed (T)	Taylor	Wise
McNair	Reynolds	Timmons	Wood
Meeks	Roberts	Turner	Wynot
Merrill			

—85

And the bill:

S. 850. Relating to all counties having populations of not less than 65,000 nor more than 68,000, according to the most recent federal decennial census; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations; validating, ratifying and confirming all prior deposits of such fines and forfeitures; repealing all conflicting laws and parts of laws general, local and special.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 855. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; to authorize the board of registrars to meet for 60 days in addition to the number of days now provided by law for the purpose of implementing the federal court's plan of reapportionment; to authorize the county commission to appoint additional personnel and clerical help to work under the board of registrars, to determine the compensation of such personnel and to pay such compensation from the general fund of the county.

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Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 857. To further amend Sections 2 and 3 of Act No. 491, S. 444, Regular Session 1961, as amended, An Act relative to cities in the state having a population of not less than 60,000 nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government in such cities; and providing for the term of the members of said commission board, and the time and manner of calling and holding an election therefor.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Gray (F)	McCluskey
Adwell	Cottingham	Grey (D)	McCorquodale
Agee	Crawford	Hale	McDonald
Barkett	Cross	Hardin	McMillan
Barron	Culver	Headley	McNair
Benton	Downing	Hearn	Meeks
Boles	Drake	Hill	Merrill
Boutwell	Easters	Hobbie	Mims
Bowers	Edwards	Hughes	Naramore
Brassell	Ellis	Jackson	Nettles
Callahan	Erdreich	Jones (F)	O'Daniel
Carnes	Falkenburg	King	Owens
Carter	Fite	Kinsey	Porter
Casey	Gafford	Lang	Pruitt
Chesnut	Goodwin	Lutz	Reed (T)
Connell	Grainger	McBride	Reynolds

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Roberts	Stokes	Turnham	Weeks
Robertson	Stubbs	Waggoner	Williams
St. John	Taylor	Waldrop	Wise
Smith (K)	Timmons	Wallace	Wood
Smith (P)	Turner	Warren	Wynot
Stewart			

—85

And the bill:

S. 861. To create the office of county license inspector in all counties of this state having a population of not less than 65,000 or more than 68,000 inhabitants, according to the last or any subsequent Federal decennial census, and to provide for the appointment of a license inspector, fix his compensation, prescribe his duties and define his powers, and provide for the operation of his office.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Gray (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 862. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salaries of certain deputies in the office of the sheriff.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Benton	Callahan	Connell
Adwell	Boles	Carnes	Coshatt
Agee	Boutwell	Carter	Cottingham
Barkett	Bowers	Casey	Crawford
Barron	Brassell	Chesnut	Cross

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Culver	Hearn	Meeks	Stewart
Downing	Hill	Merrill	Stokes
Drake	Hobbie	Mims	Stubbs
Easters	Hughes	Naramore	Taylor
Edwards	Jackson	Nettles	Timmons
Ellis	Jones (F)	O'Daniel	Turner
Erdreich	King	Owens	Turnham
Falkenburg	Kinsey	Porter	Waggoner
Fite	Lang	Pruitt	Waldrop
Gafford	Lutz	Reed (T)	Wallace
Goodwin	McBride	Reynolds	Warren
Grainger	McCluskey	Roberts	Weeks
Gray (F)	McCorquodale	Robertson	Williams
Grey (D)	McDonald	St. John	Wise
Hale	McMillan	Smith (K)	Wood
Hardin	McNair	Smith (P)	Wynot
Headley			

—85

And the bill:

S. 870. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 876. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

UNANIMOUS CONSENT GRANTED

At the request of Mr. Collins, unanimous consent was granted for the Journal to show him voting "Yea" on all local bills.

And the bill:

S. 881. (With Substitute): Applicable to any city having a population of not less than 7,750 nor more than 7,825 according to the most recent federal decennial census; to provide an expense allowance to the mayor of any such city.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitue being as follows:

A BILL TO BE ENTITLED AN ACT

Applicable to any city having a population of not less than 7,750 nor more than 7,825 according to the most recent federal decennial census; to provide an expense allowance to the mayor and to each member of the city governing body of any such city.

Be It Enacted by the Legislature of Alabama:

Section 1. The mayor of any city, having a population of not less than 7,750 nor more than 7,825 according to the most recent federal decennial census, shall receive an expense allowance of \$400 per month, and each

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member of the governing body of such cities shall receive an expense allowance of \$100 per month; such expense allowances shall be paid from the city general fund in the same manner as the salary of such mayor and members of the city governing body are paid, and shall be in addition to any other salary, expense, or allowance provided such mayor and city governing body members.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Gray (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill, S. 881 as thus amended, was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Connell	Goodwin	Lang
Adwell	Coshatt	Grainger	Lutz
Agee	Cottingham	Gray (F)	McBride
Barkett	Crawford	Gray (D)	McCluskey
Barron	Cross	Hale	McCorquodale
Benton	Culver	Hardin	McDonald
Boles	Downing	Headley	McMillan
Boutwell	Drake	Hearn	McNair
Bowers	Easters	Hill	Meeks
Brassell	Edwards	Hobbie	Merrill
Callahan	Ellis	Hughes	Mims
Carnes	Erdreich	Jackson	Naramore
Carter	Falkenburg	Jones (F)	Nettles
Casey	Fite	King	O'Daniel
Chesnut	Gafford	Kinsey	Owens

Porter
Pruitt
Reed (T)
Reynolds
Roberts
Robertson
St. John

Smith (K)
Smith (P)
Stewart
Stokes
Stubbs
Taylor

Timmons
Turner
Turnham
Waggoner
Waldrop
Wallace

Warren
Weeks
Williams
Wise
Wood
Wynot

—85

RESOLUTION

The following resolution was introduced:

By Messrs. Gafford and Boles:

H. J. R. 252. EXPRESSING THE REGRET OF THE LEGISLATURE UPON THE DEATH OF VASSER CALVIN HARTLEY

WHEREAS the Legislature of the State of Alabama notes with regret the passing of Vasser Calvin Hartley; and

WHEREAS Mr. Hartley was a native of Blount County and a retired coal and iron miner and groceryman, and served as councilman for the City of Tarrant for ten years; and

WHEREAS Mr. Hartley was an elder in the Primitive Baptist Church and pastor of three churches and was also active in numerous civic activities including serving as chairman of the Jefferson County Citizens Council; and

WHEREAS the Legislature wishes to honor the memory of such an outstanding citizen of this State; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the sincere regret of this body and our deep sympathy be extended to the members of the family of Mr. Hartley, and further, that a copy of this resolution be sent to the members of the family of Mr. Hartley.

Under the provisions of Joint Rule 12, the Clerk was instructed to hold the resolution, H. J. R. 252, on the Clerk's desk for one legislative day.

BILLS ON THIRD READING RESUMED

And the bill:

S. 885. To authorize the county commission in Houston County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land and Mobile home parks situated outside the corporate limits of any municipality in the county.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker
Adwell
Agee
Barkett
Barron
Benton

Boles
Boutwell
Bowers
Brassell
Callahan
Carnes

Carter
Casey
Chesnut
Connell
Coshatt
Cottingham

Crawford
Cross
Culver
Downing
Drake
Easters

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Edwards	Hughes	Mims	Stokes
Ellis	Jackson	Naramore	Stubbs
Erdreich	Jones (F)	Nettles	Taylor
Falkenburg	King	O'Daniel	Timmons
Fite	Kinsey	Owens	Turner
Gafford	Lang	Porter	Turnham
Goodwin	Lutz	Pruitt	Waggoner
Grainger	McBride	Reed (T)	Waldrop
Gray (F)	McCluskey	Reynolds	Wallace
Grey (D)	McCorquodale	Roberts	Warren
Hale	McDonald	Robertson	Weeks
Hardin	McMillan	St. John	Williams
Headley	McNair	Smith (K)	Wise
Hearn	Meeks	Smith (P)	Wood
Hill	Merrill	Stewart	Wynot
Hobbie			

—85

And the bill:

S. 886. To establish a Civil Service System for Houston County; to provide a policy for the administration of this act; to divide positions in the county into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans for Houston County; to provide that the first members of the personnel board shall be members of the existing personnel appeals board created pursuant to Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), and to provide for their successors in office; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the county; to provide for the expenses of such board; to guarantee certain rights to the governing body of Houston County.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Boles	Carter	Crawford
Adwell	Boutwell	Casey	Cross
Agee	Bowers	Chesnut	Culver
Barkett	Brassell	Connell	Downing
Barron	Callahan	Coshatt	Drake
Benton	Carnes	Cottingham	Easters

Edwards	Hughes	Mims	Stokes
Ellis	Jackson	Naramore	Stubbs
Erdreich	Jones (F)	Nettles	Taylor
Falkenburg	King	O'Daniel	Timmons
Fite	Kinsey	Owens	Turner
Gafford	Lang	Porter	Turnham
Goodwin	Lutz	Pruitt	Waggoner
Grainger	McBride	Reed (T)	Waldrop
Gray (F)	McCluskey	Reynolds	Wallace
Grey (D)	McCorquodale	Roberts	Warren
Hale	McDonald	Robertson	Weeks
Hardin	McMillan	St. John	Williams
Headley	McNair	Smith (K)	Wise
Hearn	Meeks	Smith (P)	Wood
Hill	Merrill	Stewart	Wynot
Hobbie			

—85

And the bill:

S. 887. To repeal Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), entitled "An Act to provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties."

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 889. To provide for an investigator in the district attorney's office of the Thirty-First Judicial Circuit.

Was read a third time at length and passed.

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Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 895. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing an annual expense allowance for the sheriff of such counties.

Was taken up.

Mr. Kinsey offered the following amendment to the bill:

Strike out Section 1 in its entirety and insert in lieu thereof the following:

Section 1. In all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, in the discretion of the county governing body the sheriff of such counties may receive an annual expense allowance of not more than two thousand dollars (\$2,000), the exact amount thereof to be fixed by such county governing body. Such allowance shall be in addition to any and all other compensation and allowances presently provided by law, and shall be payable in equal monthly installments.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Benton	Callahan	Connell
Adwell	Boles	Carnes	Coshatt
Agee	Boutwell	Carter	Cottingham
Barkett	Bowers	Casey	Crawford
Barron	Brassell	Chesnut	Cross

Culver	Hearn	Meeks	Stewart
Downing	Hill	Merrill	Stokes
Drake	Hobbie	Mims	Stubbs
Easters	Hughes	Naramore	Taylor
Edwards	Jackson	Nettles	Timmons
Ellis	Jones (F)	O'Daniel	Turner
Erdreich	King	Owens	Turnham
Falkenburg	Kinsey	Porter	Waggoner
Fite	Lang	Pruitt	Waldrop
Gafford	Lutz	Reed (T)	Wallace
Goodwin	McBride	Reynolds	Warren
Grainger	McCluskey	Roberts	Weeks
Gray (F)	McCorquodale	Robertson	Williams
Grey (D)	McDonald	St. John	Wise
Hale	McMillan	Smith (K)	Wood
Hardin	McNair	Smith (P)	Wynot
Headley			

—85

S. 895 POSTPONED

On motion of Mr. Kinsey, the bill, S. 895 as thus amended, was postponed to the thirty-fifth legislative day.

And the bill:

S. 926. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 927. Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

Was read a third time at length and passed.

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Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Gray (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

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And the bill:

S. 928. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168), as amended, which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Gray (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 929. Relating to Cherokee County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Gray (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

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And the bill:

S. 930. Repealing Constitutional Amendment CLXXXIV, relating to the compensation of certain officers of DeKalb County; proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of DeKalb County.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Fite	Jones (F)
Adwell	Connell	Gafford	King
Agee	Coshatt	Goodwin	Kinsey
Barkett	Cottingham	Grainger	Lang
Barron	Crawford	Gray (F)	Lutz
Benton	Cross	Gray (D)	McBride
Boles	Culver	Hale	McCluskey
Boutwell	Downing	Hardin	McCorquodale
Bowers	Drake	Headley	McDonald
Brassell	Easters	Hearn	McMillan
Callahan	Edwards	Hill	McNair
Carnes	Ellis	Hobbie	Meeks
Carter	Erdreich	Hughes	Merrill
Casey	Falkenburg	Jackson	Mims

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Naramore	Roberts	Stubbs	Wallace
Nettles	Robertson	Taylor	Warren
O'Daniel	St. John	Timmons	Weeks
Owens	Smith (K)	Turner	Williams
Porter	Smith (P)	Turnham	Wise
Pruitt	Stewart	Waggoner	Wood
Reed (T)	Stokes	Waldrop	Wynot
Reynolds			

—85

And the bill:

S. 759. To authorize the incorporation in any county in this state having a population of not less than 50,000 nor more than 100,000 according to the most recent federal decennial census of one or more public corporations for hospital purposes, including the acquisition, financing, owning, operating and/or leasing of hospitals, clinics, sanatoria, nursing homes, offices for persons engaged in the diagnosis, treatment or cure of sick or injured persons and buildings to house or service equipment used for the diagnosis or treatment of sick or injured persons or the records of such diagnosis or treatment or research with respect to any of the foregoing, or for dormitories or residences for hospital personnel and students, together with all real property for the location or better utilization of a hospital, medical clinic, buildings, parking areas, garages, storage facilities, outbuildings, machinery, equipment, furniture and fixtures useful or desirable in the operation of any of the aforesaid facilities; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to provide for the offices of Chairman and Vice Chairman of the board of directors of such corporation; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, all lease agreements made by such corporation and all revenues derived from such leases, and the income and properties of such corporation; to provide for the dissolution of such corporation; to exempt such corporations from the laws of this State governing usury or limiting interest rates and competitive bidding; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, any funds and assets, tangible or intangible, relative to the ownership or operation of any hospital, and funds raised or allocated for hospital purposes.

Was taken up.

S. 759 POSTPONED

On motion of Mr. Reynolds, the bill, S. 759, was postponed to the thirty-fifth legislative day.

And the bill:

H. 2141. To accord the elected officials of any city of the state having a population of two hundred fifty thousand or more, according to the last or subsequent federal census, the option to become members of the pension system established for employees of such city, their widows and children; to provide that the board of managers or trustees, or other board, or body, adminis-

tering such pension system shall adopt rules and regulations according such elected officials the option to become members of such pension system, on the same terms and conditions, and with the same obligations and benefits, as apply to the employees of the city belonging to such system; and to provide that such board or body, administering such pension system, shall provide for rules stating the terms and conditions on which any such official becoming a member of such pension system can acquire credit in the system for service as an elected official of the city prior to his becoming a member of the system, which terms and conditions shall be the same as those provided for city employees to secure credit in the system for their city service prior to their becoming members of the pension system.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

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And the bill:

H. 2274. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Vestavia Hills, Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Boutwell	Chesnut	Downing
Adwell	Bowers	Connell	Drake
Agee	Brassell	Coshatt	Easters
Barkett	Callahan	Cottingham	Edwards
Barron	Carnes	Crawford	Ellis
Benton	Carter	Cross	Erdreich
Boles	Casey	Culver	Falkenburg

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Fite	King	Nettles	Stubbs
Gafford	Kinsey	O'Daniel	Taylor
Goodwin	Lang	Owens	Timmons
Grainger	Lutz	Porter	Turner
Gray (F)	McBride	Pruitt	Turnham
Grey (D)	McCluskey	Reed (T)	Waggoner
Hale	McCorquodale	Reynolds	Waldrop
Hardin	McDonald	Roberts	Wallace
Headley	McMillan	Robertson	Warren
Hearn	McNair	St. John	Weeks
Hill	Meeks	Smith (K)	Williams
Hobbie	Merrill	Smith (P)	Wise
Hughes	Mims	Stewart	Wood
Jackson	Naramore	Stokes	Wynot
Jones (F)			

—85

And the bill:

S. 611. To Repeal Section 17 of Act No. 1594, Regular Session 1971, thereby applying the provisions of this act to counties with populations of 600,000 inhabitants or more.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 890. (With Amendments): Relating to counties having a population of 600,000 or more inhabitants according to the most recent Federal decennial census; providing for the establishment of a county compensation commission and to provide for the make up of the commission and to subscribe the duties of the commission.

Was taken up.

The question was then on the adoption of the amendment #1 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 1 of Senate Bill 890 by deleting the word and figure "5" and substituting therefor the word and figure "7".

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Namamore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

The question was then on the adoption of the amendment #2 reported by the Standing Committee on Local Legislation No. 2, said Committee amendment being as follows:

Amend Section 3 of Senate Bill 890 by inserting after the word "two" the figure "(2)".

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Casey	Erdreich	Hobbie
Adwell	Chesnut	Falkenburg	Hughes
Agee	Connell	Fite	Jackson
Barkett	Coshatt	Gafford	Jones (F)
Barron	Cottingham	Goodwin	King
Benton	Crawford	Grainger	Kinsey
Boles	Cross	Gray (F)	Lang
Boutwell	Culver	Grey (D)	Lutz
Bowers	Downing	Hale	McBride
Brassell	Drake	Hardin	McCluskey
Callahan	Easters	Headley	McCorquodale
Carnes	Edwards	Hearn	McDonald
Carter	Ellis	Hill	McMillan

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McNair	Pruitt	Stewart	Waldrop
Meeks	Reed (T)	Stokes	Wallace
Merrill	Reynolds	Stubbs	Warren
Mims	Roberts	Taylor	Weeks
Nammore	Robertson	Timmons	Williams
Nettles	St. John	Turner	Wise
O'Daniel	Smith (K)	Turnham	Wood
Owens	Smith (P)	Waggoner	Wynot
Porter			

—85

And the bill, S. 890 as thus amended, was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Nammore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 801. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Was taken up.

S. 801 POSTPONED

On motion of Mr. Turnham, the bill, S. 801, was postponed to the thirty-fifth legislative day.

And the bill:

S. 871. (With Substitute): Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, and court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election;

establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure, process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

Was taken up.

S. 871 POSTPONED

On motion of Mr. Turnham, the bill, S. 871, was postponed to the thirty-fifth legislative day.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Meeks, unanimous consent was granted for Journal to show him voting "Yea" on all local bills.

And the bill:

S. 805. To provide for two deputy district attorneys for the 27th judicial circuit and their compensation and appointment.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 846. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 5,550 nor more than 5,700 inhabitants that lie within counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

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Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	King	Roberts
Adwell	Easters	Kinsey	Robertson
Agee	Edwards	Lang	St. John
Barkett	Ellis	Lutz	Smith (K)
Barron	Erdreich	McBride	Smith (P)
Benton	Falkenburg	McCluskey	Stewart
Boles	Fite	McCorquodale	Stokes
Boutwell	Gafford	McDonald	Stubbs
Bowers	Goodwin	McMillan	Taylor
Brassell	Grainger	McNair	Timmons
Callahan	Gray (F)	Meeks	Turner
Carnes	Grey (D)	Merrill	Turnham
Carter	Hale	Mims	Waggoner
Casey	Hardin	Naramore	Waldrop
Chesnut	Headley	Nettles	Wallace
Connell	Hearn	O'Daniel	Warren
Coshatt	Hill	Owens	Weeks
Cottingham	Hobbie	Porter	Williams
Crawford	Hughes	Pruitt	Wise
Cross	Jackson	Reed (T)	Wood
Culver	Jones (F)	Reynolds	Wynot
Downing			

—85

And the bill:

S. 877. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the last federal decennial census; to require the use of voting machines at all polling places; to allow the designation of voting places; to permit electors to register votes on any voting machine at the designated voting place; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Casey	Erdreich	Hobbie
Adwell	Chesnut	Falkenburg	Hughes
Agee	Connell	Fite	Jackson
Barkett	Coshatt	Gafford	Jones (F)
Barron	Cottingham	Goodwin	King
Benton	Crawford	Grainger	Kinsey
Boles	Cross	Gray (F)	Lang
Boutwell	Culver	Grey (D)	Lutz
Bowers	Downing	Hale	McBride
Brassell	Drake	Hardin	McCluskey
Callahan	Easters	Headley	McCorquodale
Carnes	Edwards	Hearn	McDonald
Carter	Ellis	Hill	McMillan

McNair	Pruitt	Stewart	Waldrop
Meeks	Reed (T)	Stokes	Wallace
Merrill	Reynolds	Stubbs	Warren
Mims	Roberts	Taylor	Weeks
Naramore	Robertson	Timmons	Williams
Nettles	St. John	Turner	Wise
O'Daniel	Smith (K)	Turnham	Wood
Owens	Smith (P)	Waggoner	Wynot
Porter			

—85

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 1189. To amend Section 4, Act No. 571, Acts of Alabama 1967, page 1324, approved September 8, 1967, to further provide for the compensation of the Assistant or Associate Judge of Probate in counties having 600,000 or more population.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Gilmore, Bailes and Dominick.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

H. 1791. Relating to the boards of education in counties having populations of not less than 14,000 nor more than 15,000, according to the most recent federal decennial census, providing an expense allowance for the superintendents of such boards, and providing daily compensation for members of such boards when such boards meet officially to transact business.

by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill H. B. 1791, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 1791, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Executive amendment to the Bill:

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H. 1693. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of expense allowance and salary for the judges of the county courts of such counties.

by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 1693, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 1693, together with the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1792. To provide further for the compensation of the Clerk of the House and the Secretary of the Senate; providing for an annual salary for each of said officers and requiring that all fees received by them from the sale of bills introduced in the Legislature shall be paid into the State General Fund; to provide that the effective date of this act shall be January 1, 1974.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 204. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Commissioner of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Commissioner of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Commissioner of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Commissioner of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or

suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Was taken up.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Owens, the rules were suspended in order to bring up out of order the bill, S. 109.

And the bill:

S. 109. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems; to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Commissioner of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Commissioner of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Commissioner of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Commissioner of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Was read a third time at length and passed.

Yeas 75; Nays 1.

Yeas:

Mr. Speaker	Collins	Gafford	Manley
Adams	Connell	Goodwin	Mathews
Adwell	Coshatt	Grainger	May
Agee	Cottingham	Gray (F)	Meeks
Bank	Cross	Hale	Merrill
Barkett	Doss	Hearn	Naramore
Boles	Downing	Hill	O'Daniel
Boutwell	Drake	Jackson	Owens
Brassell	Easters	King	Perloff
Burgess	Edwards	Kinsey	Porter
Callahan	Ellis	Lutz	Pruitt
Carnes	Erdreich	McBride	Reed (T)
Carter	Falkenburg	McCluskey	Reynolds
Casey	Fite	McDonald	Robertson
Chesnut	Flippo	McMillan	St. John

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Smith (K)	Therrell	Waldrop	Williams
Smith (P)	Timmons	Wallace	Wise
Snell	Turner	Warren	Wynot
Stokes	Turnham	Weeks	—75

Nay: Mr. Cauthen. —1

And the bill, H. 204, was again taken up.

H. 204 INDEFINITELY POSTPONED

On motion of Mr. Owens, the bill, H. 204, was indefinitely postponed.

MOTION TO INVOKE RULE ADOPTED

Having previously filed a Notice in Writing, Mr. Hale moved to invoke Rule 42, directing the Standing Committee on State Administration to act on the bill, S. 1, and the motion was adopted.

Yeas 61; Nays 1.

Yeas:

Messrs.:	Cross	King	St. John
Adams	Crowe	Kinsey	Smith (K)
Adwell	Doss	Lutz	Smith (P)
Bank	Ellis	McBride	Stewart
Barron	Erdreich	McDonald	Stokes
Benton	Falkenburg	McMillan	Stubbs
Boles	Flippo	McNair	Taylor
Boutwell	Goodwin	Meeks	Therrell
Bowers	Grainger	Mims	Turner
Callahan	Gray (F)	Nettles	Waggoner
Carnes	Hale	Perloff	Waldrop
Carter	Hearn	Reid (R)	Wallace
Chesnut	Hill	Reynolds	Warren
Coshatt	Hobbie	Roberts	Weeks
Cottingham	Hughes	Robertson	Wood
Crawford	Jones (F)		—61

Nay: Mr. Downing. —1

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following Bill, to-wit:

H. 1792. To provide further for the compensation of the Clerk of the House and the Secretary of the Senate; providing for an annual salary for each of said officers and requiring that all fees received by them from the sale of bills introduced in the Legislature shall be paid into the State General Fund; to provide that the effective date of this act shall be January 1, 1974.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 585. Amending Section 77 of Title 41, Alabama Code, 1940, requiring the execution of bonds by a tax collector, so as to provide a formula for determining the amount of the bond.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 585. Constitution and Elections.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Smith (P), the rules were suspended in order to bring up out of order from the Special Order Calendar, the third reading of the bill, H. 349.

Yeas 86; Nays 1.

Yeas:

Messrs.:	Cottingham	Hill	Nettles
Adams	Crawford	Hobbie	O'Daniel
Adwell	Cross	Hughes	Owens
Bank	Doss	Jackson	Parker
Barkett	Downing	Kinsey	Porter
Barron	Drake	Lang	Pruitt
Benton	Edwards	Lutz	Reed (T)
Boles	Ellis	McBride	Reid (R)
Boutwell	Falkenburg	McCluskey	Reynolds
Brassell	Fite	McDonald	Robertson
Burgess	Flippo	McMillan	St. John
Callahan	Goodwin	McNair	Smith (K)
Carnes	Grainger	Manley	Smith (P)
Carter	Gray (F)	Mathews	Snell
Casey	Grey (D)	May	Stewart
Chesnut	Hale	Meeks	Stokes
Collins	Hardin	Merrill	Stubbs
Connell	Headley	Mims	Taylor
Coshatt	Hearn	Naramore	Therrell

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Timmons	Waggoner	Warren	Wise	
Turner	Waldrop	Weeks	Wynot	
Turnham	Wallace	Williams		—86
Nay: Mr. Perloff.				—1

MOTION TO RECESS LOST

The motion of Mr. St. John that the House stand in recess for fifteen minutes was lost.

And the bill:

H. 349. To provide that the boards of Alabama Institute for Deaf and Blind, Alabama Boys Industrial School, Alabama Girls Industrial School, and the Industrial School at Mt. Meigs shall grant personal leave to teachers.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Messrs.:	Cross	Kinsey	Reynolds
Adams	Doss	Lang	Robertson
Adwell	Downing	Lutz	St. John
Bank	Drake	McBride	Smith (K)
Barkett	Edwards	McCluskey	Smith (P)
Barron	Ellis	McDonald	Snell
Benton	Erdreich	McMillan	Stewart
Boles	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Bowers	Flippo	Mathews	Taylor
Brassell	Goodwin	Meeks	Therrell
Burgess	Grainger	Mims	Timmons
Callahan	Gray (F)	Naramore	Turner
Carnes	Grey (D)	Nettles	Waggoner
Carter	Hale	O'Daniel	Waldrop
Casey	Hardin	Owens	Wallace
Chesnut	Headley	Parker	Warren
Collins	Hearn	Perloff	Weeks
Connell	Hill	Porter	Williams
Coshatt	Hughes	Reed (T)	Wise
Cottingham	Jackson	Reid (R)	Wynot
Crawford			

—84

RULE SUSPENDED

On motion of Mr. Smith (P), Rule 4(4) was suspended to permit the bill, H. 349, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 349, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Williams, the rules were suspended in order to bring up out of order from the Special Order Calendar, the third reading of the bill, H. 942.

Yeas 71; Nays 2.

Yeas:

Messrs.:	Crawford	Hobbie	Porter
Agee	Cross	Jackson	Reid (R)
Bank	Culver	King	Robertson
Barkett	Downing	Lutz	St. John
Barron	Drake	McBride	Smith (K)
Boles	Easters	McDonald	Snell
Boutwell	Edwards	McMillan	Stubbs
Bowers	Ellis	Manley	Taylor
Brassell	Erdreich	Mathews	Therrell
Burgess	Fite	May	Timmons
Callahan	Flippo	Meeks	Turner
Carnes	Grainger	Mims	Waldrop
Carter	Gray (F)	Naramore	Wallace
Casey	Grey (D)	Nettles	Warren
Chesnut	Hardin	O'Daniel	Weeks
Collins	Headley	Owens	Williams
Connell	Hearn	Parker	Wood
Coshatt	Hill	Perloff	Wynot

—71

Nays: Messrs. Cauthen and Stokes.

—2

And the bill:

H. 942. To create the position of people's public service attorney in the Public Service Commission and prescribes his qualifications, duties, powers, and salary.

Was read a third time at length and passed.

Yeas 74; Nays 4.

Yeas:

Messrs.:	Crawford	Hill	Reid (R)
Adwell	Cross	Hobbie	Reynolds
Agee	Culver	Jackson	Roberts
Bank	Downing	King	Robertson
Barkett	Drake	Lutz	St. John
Barron	Easters	McBride	Smith (K)
Boles	Edwards	McDonald	Snell
Boutwell	Ellis	McMillan	Stubbs
Brassell	Erdreich	Manley	Taylor
Burgess	Falkenburg	Mathews	Therrell
Callahan	Fite	May	Timmons
Carnes	Flippo	Meeks	Waldrop
Carter	Goodwin	Merrill	Wallace
Casey	Grainger	Mims	Warren
Cauthen	Gray (F)	Naramore	Weeks
Chesnut	Grey (D)	Nettles	Williams
Collins	Hardin	O'Daniel	Wood
Connell	Headley	Owens	Wynot
Coshatt	Hearn	Porter	

—74

Nays:

Messrs.:	Lang	McCluskey	Stokes
Adams			

—4

RULE SUSPENDED

On motion of Mr. Williams, Rule 4(4) was suspended to permit the bill, H. 942, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 942, was ordered sent forthwith to the Senate without engrossment.

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Reid (R) and Turner, unanimous consent was granted for their names to be added as co-sponsors to the bill, H. 942.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1132. To provide a method by which an insurance company incorporated under the laws of this State may, by resolution of its board of directors, apply any part or all of its capital surplus to the elimination or reduction of any deficit, however incurred.

Also:

H. 1023. To further identify creditable years of service under the Employees' Retirement System of Alabama, and Teachers' Retirement System of Alabama.

Also:

H. 1248. To supplement Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as heretofore amended, so as to provide a comprehensive system of law applicable to any corporation organized pursuant to the said Act, the service area of which includes a resort area and which has obtained the express approval of the governing body of each county in which it carries on its operations to exercise the powers conferred hereby; to permit such a corporation to construct improvements consisting of sanitary sewers and sewer facilities in resort areas located within its service area which are outside the corporate limits of any municipality and within the service area of such corporation; to provide a method for the assessment of the cost of any such improvements against the property abutting on, or drained, served, or benefited by such improvements; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement; to provide for supervision of the work; to provide for the levy of assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the prop-

erty subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such lien, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system for payment of all assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on official bonds for the handling of such fund; to provide for a refund of excess collections in certain circumstances; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

Also:

H. 285. To authorize each of the municipalities in this State to provide buildings and other facilities for lease to and use by one or more regional, national or international association or organization, one or more of the purposes or objects of which shall consist of one or more of the following: the promotion of patriotism or good citizenship, the development of civic pride or consciousness, the improvement of grade, business, professional or economic conditions, or the promotion of health, safety, conservation, community beautification, or community welfare, and the membership of which regional, national or international association or organization shall include (1) persons, firms or corporations residing or domiciled in not less than twelve of the states of the United States, including at least two such members residing or domiciled in the State of Alabama, or (2) local organizations or clubs with like objects or purposes situated in not less than twelve of the state of the United States, including at least two such organizations or clubs situated in the State of Alabama; to authorize municipalities to acquire one or more projects consisting of buildings for the supplying of offices, storage and related facilities to such regional, national or international organizations, together with any lands or interests therein deemed desirable in connection therewith, to improve, enlarge, expand, equip, furnish, insure and maintain one or more such projects, to least such properties subject to certain specified requirements, to finance the cost of such acquisition, improvement, enlargement, expansion, equipment and furnishing by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties and to enter into contracts and agreements and to do all acts necessary for or incidental to the performance of the duties and the execution of

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the powers of a municipality under said Act; to provide that such bonds shall not be subject to the laws of the State of Alabama governing usury; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the Act; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder and any deeds or other documents whereby properties are acquired by a municipality under the Act; to prohibit any municipality from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that the provisions of Act No. 217 of the 1967 Special Session of the Legislature which relate to competitive bidding shall not be applicable to any contracts made by municipalities under the Act; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Hill, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar the third reading of the bill, H. 1007.

Yeas 55; Nays 11.

Yeas:

Messrs.:	Culver	Hill	Roberts
Adams	Doss	Hobbie	Robertson
Agee	Downing	Jackson	St. John
Bank	Edwards	King	Smith (K)
Benton	Ellis	Kinsey	Smith (P)
Boutwell	Falkenburg	Lang	Snell
Brassell	Fite	Lutz	Stubbs
Carnes	Flippo	McCluskey	Timmons
Carter	Grainger	McDonald	Turner
Cauthen	Gray (F)	McMillan	Waldrop
Chesnut	Grey (D)	McNair	Weeks
Connell	Hardin	Manley	Williams
Coshatt	Headley	Meeks	Wise
Cross	Hearn	Parker	Wynot

—55

Nays:

Messrs.:	Collins	Merrill	Therrell
Barkett	Crawford	Nettles	Warren
Burgess	Easters	Perloff	Wood

—11

And the bill:

H. 1007. (With Substitute) (With Amendments): To authorize and regulate collection agencies, to define collection agencies, to prescribe the du-

ties thereof, to describe the duties of the Attorney General in the connection therewith, to fix bonds for the operation thereof, and to set methods of operating in Alabama.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize and regulate collection agencies, to define collection agencies, to prescribe the duties thereof, to describe the duties of the Attorney General in the connection therewith, to fix bonds for the operation thereof, and to set methods of operating in Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. A collection agency is defined as any person, firm, corporation, or association, who as a vocation, either full or part time, and for a fee or other remuneration, solicits, secures, collects or attempts to collect accounts between persons, firms, corporations, or associations with neither of whom it is in privity or in the relation of employer-employee as the term is usually defined, and is not a subsidiary of the creditor. In no wise shall a collection agency be empowered to practice law in Alabama but is specifically prohibited therefrom, provided, however, that when it is properly licensed as hereinafter provided, it shall be allowed to be in the collection business as above set forth.

Section 2. (a) No person shall conduct within this State a collection agency as the same is herein defined without first having applied for and obtained a license.

(b) Any person who carries on the business of a collection agency without first having been licensed as provided in this act shall be guilty of a misdemeanor and be punishable by a fine not exceeding \$500.00 or by imprisonment not exceeding one year, or both, at the discretion of the judge or magistrate who imposes sentence.

(c) Application for licensing shall be made to the Attorney General of the State of Alabama on forms prescribed by that office. All such collection agencies as defined herein shall pay a license of Two Hundred Dollars per year for each place of business, said monies are hereby appropriated for the use of the Attorney General of Alabama, said funds to be paid to the State of Alabama and disbursed upon voucher signed by the office of the Attorney General of the State of Alabama.

(d) The Attorney General of the State of Alabama shall inquire into each applicant's reputation in the business community in which it shall operate or where it is to be established, integrity for fair business dealings, competence to conduct said business, and financial net worth, same to show that the concern is solvent and has the means to conduct its business on a sound basis, and is not in violation of any of the provisions of Section 4 hereof, and shall approve for license those applicants he finds qualified on the basis of the

above criteria. Financial statements, references and other information required shall be furnished by all applicants for a license and they shall accompany such application with a certified check or money order in the sum of One Hundred Dollars, payable to the Attorney General of the State of Alabama, for the purpose of making any investigation into the qualifications that the Attorney General may deem necessary. Such investigation may cover managerial personnel of the applicant in determining whether an applicant is qualified.

(e) Every application for a license shall be acted upon promptly by the Attorney General. If the applicant is found qualified under this Act, the license shall issue forthwith. If the Attorney General should find the applicant not qualified, the application shall be rejected together with written notice as to the reasons therefor. Any applicant dissatisfied with such disqualification may appeal as provided in any enactment providing for administrative appeals or if not provided by legislation, then in the same manner as appeals from a decision of the Alcoholic Beverage Control Board of the State of Alabama are taken.

Section 3. Each licensee shall file and maintain in force a surety bond for each place of business in the following amounts:

For cities of less than 10,000 population, \$5,000.

For cities from 10,000 to 20,000 population, \$10,000.

For cities from 20,000 to 30,000 population, \$15,000.

For cities from 30,000 to 40,000 population, \$20,000.

For cities over 40,000 population, \$25,000.

Each licensee shall file and maintain in force a surety bond in the following form: "That (Licensee), hereinafter called Principal, and Surety are firmly bound unto the Attorney General of the State of Alabama (hereinafter called Oblige), in the sum of (amount called for in this Act) for payment whereof to the Oblige the Principal binds himself, his heirs, executors and assigns, and the Surety binds himself, it, his heirs, its successors, administrators, and assigns, jointly and severally, firmly by these presents. NOW, THEREFORE, the condition of the foregoing obligation is such that if the Principal shall honestly account and pay out to his, its, customers as required by law or contract then this obligation shall be void, otherwise it shall remain in force." In the event that the amount of the claims should exceed the amount of the bond, then the Surety may pay into the Circuit Court of the County in which the collection agency is located, the amount of the bond together with a list of the claimants thereto, and shall be discharged from any further liability and all claimants shall share in the fund on a pro rata basis.

Section 4. No license shall be granted to any applicant, if an individual, or to any partnership, or corporate applicant, if such applicant, or any part of the partnership applicant, or officer or director of a corporate applicant, or employee of the foregoing, has been convicted in any state or federal court of the crime of forgery, fraud, obtaining money under false pretenses, embezzlement, extortion, larceny, burglary, breaking and entering, robbery, criminal conspiracy to defraud, bribery, or any other crime involving moral turpitude within the past ten years, of which the record of conviction or a copy certified by the clerk or judge of the court shall be conclusive evidence,

nor to any person or firm required to be licensed under a statute of this State which gives the licensing authority supervising authority and which authority has seen fit, for cause, to suspend or revoke any such license.

Section 5. (1) No collection agency shall:

(a) in collection letters or publications, or in any communication, oral or written, threaten physical violence to a debtor,

(b) use or employ constables, sheriffs or any other officer authorized to serve legal papers in connection with the collection of a claim;

(c) furnish legal advice or otherwise engage in the practice of law or represent that it is competent to do so, or institute judicial proceedings on behalf of others;

(d) communicate with debtors in the name of a lawyer or upon stationery of a lawyer, or prepare any forms of instruments which only lawyers are authorized to prepare;

(e) use instruments which simulate the form and appearance of judicial process;

(f) exercise authority on behalf of a creditor to employ the services of lawyers unless the creditor has specifically authorized the agency in writing to do so and the agency's course of conduct is at all times consistent with a true relationship of attorney and client between the lawyer and the creditor;

(g) demand or obtain in any manner a share of the compensation for services performed by a lawyer in collecting a claim;

(h) publish or cause to be published a list of debtors except for credit reporting purposes or threaten to do so;

(i) use "shame cards," "shame automobiles," or similar devices, methods of intimidation or method contrary to postal regulations to collect accounts;

(j) refuse to return any claim or claims upon written request of the creditor, claimant or forwarder after the tender of such amounts, if any, as may be due and owing to the agency;

(k) advertise or threaten to advertise for sale any claim as a means of forcing payment thereof, unless such agency is acting as the assignee for the benefit of creditors or acting under an order of the court;

(l) refuse or intentionally fail to account to its clients for all money collected within thirty (30) days from the last day of the month in which the same is collected;

(m) refuse or intentionally fail to return to the creditor all valuable papers deposited with a claim when such claim is returned;

(n) refuse or fail to furnish at intervals of not less than ninety (90) days status reports of accounts upon written request of the claimant or forwarder;

(o) operate under a name or in a manner which implies that such agency is a branch of or associated with any department of the federal government or of any state or municipal government, or use any seal, insignia, enve-

lope or other format which simulates that of any government department or agency;

(p) commingle money collected for a customer with the agency's own funds or use any part of customer's money in the conduct of agency's business;

(q) share quarters or office space, or have a common waiting room with a practicing lawyer;

(r) threaten a debtor with garnishment of wages or attachment of assets;

(s) call in person or on the telephone employers of a debtor to comment on the debtor's failure or refusal to pay his debt;

(t) use any Latin words or phrases in collection letters;

(u) use the word "credit" or "bureau" in its name or correspondence unless it is a duly authorized and operating credit bureau as defined in The Fair Credit Reporting Act;

(v) use the word "association" or "co-operative" in its name or correspondence unless it is a true and bona fide association or co-operative of merchants or credit grantors;

(w) use the word "agent" in its name or correspondence to indicate in anywise that it is an agent of the creditor;

(x) use profane or obscene language that is intended to unreasonably abuse the hearer or reader and which by its utterance would tend to incite an immediate breach of the peace; or place telephone calls without disclosure of the name of the business or company the collector represents and with the intent to harass or threaten any person; or fail to cease calls when requested by the debtor to do so;

(y) causing expense to any person in the form of collect long distance telephone tolls or collect telegram fees, or other charge incurred by medium of communication, by attempting to deceive or mislead persons as to the true purpose of the notice, letter, message or communication; or by calling on the telephone any debtor prior to 7:30 A.M. or after 6:30 P.M. on any weekday and never on Sunday;

(z) take any assignment of accounts whether by purchase or otherwise.

(2) Any violation of the above shall subject the agency to a fine of not less than \$100 nor more than \$300 by the Attorney General and the suspension or revocation of its license, if the Attorney General deems it to be in the best interest of the public, said action to be taken only after notice and hearing as may be enacted by the legislature for administrative procedures, otherwise as provided by Title 28A, Section 43, et. seq., Code of Alabama, as last amended, except that the Attorney General is substituted for the Commissioner of Insurance.

(3) Whenever an account is disputed by a debtor, the debtor shall notify the collection agency that the account is disputed whereupon the collection agency shall investigate the accuracy of the account and communicate its findings in writing to the debtor. If this investigation does not resolve the dispute, the debtor may file a brief written statement with the collection agency

setting forth the nature of the dispute and at this time, the collection agency shall forthwith discontinue any further collection attempts thereon and return the file together with the circumstances of the dispute to the creditor but it shall cease further collection attempts thereon.

Section 6. The provisions of this Act shall apply to any person, who, by any device, subterfuge or pretense, makes a pretended purchase or takes a pretended assignment of accounts from any other person for the purpose of evading provisions of this Act, but not to bona fide purchases for cash of accounts as same is defined in the Uniform Commercial Code of Alabama, except collection agencies which are prohibited by this Act from so doing.

Section 7. The Attorney General of the State of Alabama may investigate the collection records of a licensee and for that purpose he shall have free access to the books and records of a licensee relating thereto. If a licensee violates any provision of this Act or fails to maintain its financial condition so that it would qualify for a license on an original application, the Attorney General may revoke or suspend such license after notice to the licensee of such violation, and the right to a hearing on such charge within thirty days from the date of such notice, provided the licensee requests a hearing in writing within ten days of the date of the notice, which hearing shall be conducted in the same manner and under the same rules as those provided by any administrative procedure act enacted by the legislature, and if none is enacted then as provided by Title 28A, Section 43, et. seq., Code of Alabama, 1940, as last amended, except that the Attorney General is substituted for the Commissioner of Insurance. If hearing is not requested, then the license shall be revoked without further notice at the expiration of fourteen days from the date of notice. If hearing is requested, then after the hearing the license may be revoked if the Attorney General is reasonably satisfied that a violation has occurred, has not been corrected, or it is in the best interest of the public, or he may leave same in full force and effect.

Section 8. The Attorney General shall require the licensee to keep such books and records in its place of business in this state and to maintain a place of business within this state, as will enable the Attorney General to determine whether the provisions of this Act are being met. Every such licensee shall preserve the records of final entry used in such business for a period of three (3) years after final remittance is made on any account placed with the licensee for collection or after any account has been returned to the claimant on which one or more payments have been made, or any account that has been returned because it was disputed by the debtor. Microfilm or other reproduction of the original record shall suffice as complying with this requirement. Any foreign corporation which qualifies to do business in Alabama or any non-resident who desires to be licensed under this Act shall be required to establish an office in this State and it and its managerial personnel shall have to comply with all of the provisions previously set forth in this Act.

Section 9. This Act shall not take away any rights, or causes of action for libel, slander, or invasion of the right of privacy which would lie irrespective of this Act.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective on October 1, 1973, upon its passage and approval by the Governor, or upon its otherwise becoming a

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law, and in the event that the Attorney General shall not be able to process all applicants by October 31, 1973, no applicant shall be in default or delinquent in license because of this failure by that office provided the applicant shall have made application for such license prior to October 20, 1973.

And the substitute was adopted.

Yeas 59; Nays 1.

Yeas:

Messrs.:	Coshatt	Hearn	Parker
Adams	Cottingham	Hill	Reed (T)
Adwell	Cross	Hobbie	Robertson
Bank	Culver	Jackson	St. John
Barron	Downing	King	Smith (K)
Benton	Drake	Kinsey	Smith (P)
Boles	Ellis	Lang	Snell
Boutwell	Erdreich	Lutz	Stubbs
Brassell	Flipppo	McCluskey	Taylor
Carnes	Gafford	McDonald	Timmons
Carter	Goodwin	McMillan	Waldrop
Casey	Grainger	McNair	Weeks
Chesnut	Gray (F)	Manley	Williams
Collins	Hardin	Mathews	Wise
Connell	Headley	Meeks	Wynot

—59

Nay: Mr. Burgess.

—1

H. 1007 TEMPORARILY POSTPONED

On motion of Mr. Hill, the bill, H. 1007 as amended, was temporarily postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 985. To amend further Title 51, Section 21, Alabama Code 1940, by further exempting from taxation any tree, bush, vine or other growing thing from which a crop is harvested.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Fite, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1674.

And the bill:

H. 1674. To authorize and empower the State Commissioner of Revenue to enter into reciprocal agreements in regard to the withholding and payment of state income taxes by the personnel of interstate common carriers.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Messrs.:	Cross	King	Reed (T)
Adams	Doss	Kinsey	Reynolds
Agee	Downing	Lutz	Roberts
Bank	Drake	McCluskey	Robertson
Barkett	Easters	McDonald	St. John
Barron	Edwards	McMillan	Smith (K)
Benton	Ellis	McNair	Smith (P)
Boles	Erdreich	Manley	Snell
Boutwell	Falkenburg	Mathews	Stokes
Brassell	Flippo	May	Stubbs
Burgess	Gafford	Meeks	Taylor
Callahan	Goodwin	Merrill	Therrell
Carnes	Grainger	Mims	Timmons
Carter	Grey (D)	Naramore	Turner
Casey	Hardin	Nettles	Waldrop
Chesnut	Headley	Owens	Weeks
Collins	Hearn	Parker	Williams
Connell	Hill	Perloff	Wise
Cottingham	Hobbie	Porter	Wood
Crawford	Jackson	Pruitt	Wynot

—79

RULE SUSPENDED

On motion of Mr. Fite, Rule 4(4) was suspended to permit the bill, H. 1674, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1674, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Robertson, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar the third reading of the bill, H. 1169.

And the bill:

H. 1169. To create an Alabama Recreation Commission; to provide for the members of the Commission, their appointments, qualifications, and term of office; to provide for the powers and duties of the Commission; to provide for the powers and duties of the Executive Director; to define the terms used in this Act; and to appropriate funds.

Was read a third time at length and passed.

Yeas 75; Nays 1.

Yeas:

Messrs.:	Boutwell	Chesnut	Culver
Adams	Brassell	Collins	Downing
Agee	Burgess	Connell	Drake
Bank	Callahan	Coshatt	Easters
Barkett	Carnes	Cottingham	Edwards
Barron	Carter	Crawford	Ellis
Boles	Casey	Cross	Erdreich

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Fite	Jackson	Nettles	Stokes
Flippo	King	Owens	Stubbs
Gafford	Kinsey	Parker	Taylor
Goodwin	Lutz	Perloff	Therrell
Grainger	McCluskey	Porter	Timmons
Gray (F)	McMillan	Pruitt	Turner
Grey (D)	McNair	Reed (T)	Waldrop
Hardin	Manley	Reynolds	Warren
Headley	Meeks	Robertson	Weeks
Hearn	Merrill	Smith (K)	Williams
Hill	Mims	Smith (P)	Wise
Hobbie	Naramore	Snell	Wynot
—75			
<i>Nay:</i>	Mr. Wood.	—1	

RULES SUSPENDED

On motion of Mr. Robertson, Rule 4(4) was suspended to permit the bill, H. 1169, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1169, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Hearn to suspend the rules in order to take up out of order from the Special Order Calendar, the third reading of the bill, H. 1891, was lost, lacking a four-fifths vote.

Yeas 52; Nays 23.

Yeas:

Mr. Speaker	Crowe	King	Smith (P)
Agee	Drake	Lutz	Snell
Barkett	Easters	McDonald	Stokes
Brassell	Edwards	Mathews	Stubbs
Burgess	Fite	Mims	Taylor
Callahan	Goodwin	Naramore	Therrell
Casey	Grainger	O'Daniel	Timmons
Chesnut	Grey (D)	Owens	Turner
Collins	Hardin	Porter	Wallace
Connell	Headley	Reid (R)	Warren
Cottingham	Hearn	Reynolds	Williams
Crawford	Hobbie	Robertson	Wise
Cross	Jackson	Smith (K)	Wynot
—52			

Nays:

Messrs.:	Cauthen	Kinsey	Merrill
Adams	Doss	McCluskey	Nettles
Barron	Erdreich	McMillan	Parker
Boutwell	Flippo	McNair	Perloff
Carnes	Gray (F)	Manley	Waldrop
Carter	Hill	Meeks	Wood
—23			

UNANIMOUS CONSENT GRANTED

On motion of Mr. Callahan, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 1891.

H. 1007 RESUMED

And the bill, H. 1007 as amended, was again taken up.

Mr. Hill offered the following substitute to the substitute to the bill, H. 1007 as amended:

A BILL
TO BE ENTITLED
AN ACT

To authorize and regulate collection agencies, to define collection agencies, to prescribe the duties thereof, to describe the duties of the Attorney General in the connection therewith, to fix bonds for the operation thereof, and to set methods of operating in Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The following words and terms as used in this Act shall be construed as follows: (a) "Person" means and includes individuals, partnerships, associations or corporations; (b) "Collection Agency" means and includes any person engaged in the business of collecting for others any account, bill or other indebtedness. The term Collection Agency shall not include persons whose collection activities are confined to and are directly related to the operation of a business other than that of a collection agency; nor employees of a creditor, or subsidiaries of a creditor or its employees or licensed attorneys.

Section 2. (a) No person shall conduct within this State a collection agency as the same is herein defined without first having applied for and obtained a license.

(b) Any person who carries on the business of a collection agency without first having been licensed as provided in this act shall be guilty of a misdemeanor and be punishable by a fine not exceeding \$1,000 or by imprisonment not exceeding one year, or both, at the discretion of the judge or magistrate who imposes sentence.

(c) Application for licensing shall be made to the Attorney General of the State of Alabama on forms prescribed by that office for the license year commencing October 1 of each year, and ending September 30 of the following year. All such collection agencies as defined herein shall pay a license of Two Hundred Dollars per year for each place of business, said monies are hereby appropriated for the use of the Attorney General of Alabama, said funds to be paid to the State of Alabama and disbursed upon voucher signed by the office of the Attorney General of the State of Alabama.

(d) The Attorney General of the State of Alabama shall inquire into each applicant's reputation in the business community in which it shall operate or where it is to be established, integrity for fair business dealings, competence to conduct said business, financial net worth, has the means to conduct its business on a sound basis, and is not in violation of any of the provisions of Section 4 hereof, and shall approve for license those applicants he finds qualified on the basis of the above criteria. Financial statements, references and other information required shall be furnished by all applicants for a license and they shall accompany such application with a certified check or money order in the sum of One Hundred Dollars, payable to the Attorney

General of the State of Alabama, for the purpose of making any investigation into the qualifications that the Attorney General may deem necessary. Such investigation may cover managerial personnel of the applicant in determining whether an applicant is qualified.

(e) Every application for a license shall be acted upon promptly by the **Attorney General**. If the applicant is found qualified under this Act, the license shall issue forthwith. If the Attorney General should find the applicant not qualified, the application shall be rejected together with written notice as to the reasons therefor. Any applicant dissatisfied with such disqualification may appeal as provided in any enactment providing for administrative appeals or if not provided by legislation, then in the same manner as appeals are provided in Title 28A, Sections 43, et seq., Code of Alabama, as last amended.

Section 3. Each licensee shall file and maintain in force a surety bond for each place of business in the following amounts:

For counties of less than 40,000 population, \$10,000.

For counties of more than 40,000 population, \$25,000.

Each licensee shall file and maintain in force a surety bond in the following form: "That (Licensee), hereinafter called Principal, and Surety are firmly bound unto the Attorney General of the State of Alabama (hereinafter called Oblige), in the sum of (amount called for in this Act) for payment whereof to the Oblige the Principal binds himself, his heirs, executors and assigns, and the Surety binds himself, it, his heirs, its successors, administrators, and assigns, jointly and severally, firmly by these presents. NOW, THEREFORE, the condition of the foregoing obligation is such that if the Principal shall honestly account and pay out to his, its, customers as required by law or contract then this obligation shall be void, otherwise it shall remain in force." In the event that the amount of the claims should exceed the amount of the bond, then the Surety may pay into the Circuit Court of the County in which the collection agency is located, the amount of the bond together with a list of the claimants thereto, and shall be discharged from any further liability and all claimants shall share in the fund on a pro rata basis, however the Principal is not so discharged. For any breach of the foregoing bond, the person aggrieved may sue thereon in his own name assigning the appropriate breach and may be awarded reasonable counsel fees by the Court trying such suit, as part of the costs thereof in the event of a judgment against the Principal named in said bond.

Section 4. No license shall be granted to any individual applicant or to any partnership if such individual applicant or any part of the partnership applicant has been convicted in any state or federal court of the crime of forgery, fraud, obtaining money under false pretenses, embezzlement, extortion, larceny, burglary, breaking and entering, robbery, criminal conspiracy to defraud, bribery or any other crime involving moral turpitude within ten years; nor shall a license be granted to any corporate applicant if an officer or director or employee of such corporate applicant has been convicted in any state or federal court of any of the above enumerated crimes or offenses and the board of directors or other corporate governing body or the employing officer of such corporate applicant had knowledge of the fact that such officer, director or employee of the corporate applicant had been so convicted within the past ten years. The record of conviction or a copy thereof certified

by the clerk or judge of the court shall be conclusive evidence of such conviction; but in the case of a corporate applicant the burden of proving no knowledge of such conviction shall be on the board of directors or other governing body of a corporate applicant to show that neither such governing body nor the employing officer of a corporate applicant had knowledge of the conviction of an officer, director or employee of such corporate applicant. Nor shall a license hereunder be granted to any person or firm who was formerly licensed under any other law of this state which gives the licensing authority supervisory authority if the license of such person or firm has been suspended or revoked for cause.

Section 5. (1) No collection agency shall:

(a) in collection letters or publications, or in any communication, oral or written, threaten arrest or to use physical violence to a debtor,

(b) use or employ constables, sheriffs or any other officer authorized to serve legal papers in connection with the collection of a claim;

(c) furnish legal advice or otherwise engage in the practice of law or represent that it is competent to do so, or institute judicial proceedings on behalf of others;

(d) communicate with debtors in the name of a lawyer or upon stationery of a lawyer, or prepare any forms of instruments which only lawyers are authorized to prepare;

(e) use instruments which simulate the form and appearance of judicial process;

(f) exercise authority on behalf of a creditor to employ the services of lawyers unless the creditor has specifically authorized the agency in writing to do so and the agency's course of conduct is at all times consistent with a true relationship of attorney and client between the lawyer and the creditor;

(g) demand or obtain in any manner a share of the compensation for services performed by a lawyer in collecting a claim;

(h) publish or cause to be published a list of debtors except for credit reporting purposes or threaten to do so;

(i) use "shame cards," "shame automobiles," or similar devices, methods of intimidation or methods contrary to postal regulations to collect accounts;

(j) refuse to return any claim or claims upon written request of the creditor, claimant or forwarder after the tender of such amounts, if any, as may be due and owing to the agency;

(k) advertise or threaten to advertise for sale any claim as a means of forcing payment thereof, unless such agency is acting as the assignee for the benefit of creditors or acting under an order of the court;

(l) refuse to account to its clients for all money collected within thirty (30) days from the last day of the month in which the same is collected;

(m) refuse or intentionally fail to return to the creditor all valuable papers deposited with a claim when such claim is returned;

(n) refuse or fail to furnish at intervals of not less than ninety (90) days status reports of accounts upon written request of the claimant or forwarder;

(o) operate under a name or in a manner which implies that such agency is a branch of or associated with any department of the federal government or of any state or municipal government, or use any seal, insignia, envelope or other format which simulates that of any government department or agency;

(p) commingle money collected for a customer with the agency's own funds or use any part of customer's money in the conduct of agency's business;

(q) share quarters or office space, or have a common waiting room with a practicing lawyer;

(r) threaten a debtor with garnishment of wages or attachment of assets, but may inform a debtor that the account may be referred to a lawyer for appropriate legal action;

(s) call employers of a debtor to comment on the debtor's failure or refusal to pay his debt;

(t) use any Latin words or phrases in collection letters;

(u) use the word "association" or "co-operative" in its name or correspondence unless it is a true and bona fide association or co-operative of merchants or credit grantors;

(v) make the false accusation or threat to accuse any person of fraud or any other crime, or any conduct which would tend to disgrace such other person, or in any way subject him to the ridicule or contempt of society;

(w) use profane or obscene language or language that is intended to unreasonably abuse the hearer or reader and which by its utterance would tend to incite and immediate breach of the peace; place telephone calls without disclosure of the name of the business or company the collector represents and with the intent to harass, or threaten any person; causing expense to any person in the form of collect long distance telephone tolls or collect telegram fees, or other charge incurred by medium of communication, by attempting to deceive or mislead persons as to the true purpose of the notice, letter, message or communication; or call on the telephone any debtor in Alabama prior to 7:30 A.M. or after 7:30 P.M. on any weekday and never on Sunday;

(x) any willful violation of the above shall subject the agency to a fine of not less than \$100 nor more than \$1,000 by the Attorney General and the suspension or revocation of its license, if the Attorney General deems it to be in the best interest of the public, said action to be taken only after notice and hearing as may be enacted by the legislature for administrative procedures, otherwise as provided by Title 28A, Section 43, et. seq., Code of Alabama, as last amended, except that the Attorney General is substituted for the Commissioner of Insurance.

Section 6. The provisions of this Act shall apply to any person, who, by any device, subterfuge or pretense, makes a pretended purchase or takes a pretended assignment of accounts from any other person for the purpose of

evading provisions of this Act, but not to bona fide purchases for cash of accounts as same is defined in the Uniform Commercial Code of Alabama.

Section 7. The Attorney General of the State of Alabama may investigate the collection records of a licensee and for that purpose he shall have free access to the books and records of a licensee relating thereto. If a licensee violates any provision of this Act or fails to maintain its financial condition so that it would qualify for a license on an original application, the Attorney General may revoke or suspend such license after notice, to the licensee of such violation, and the right to a hearing on such charge within thirty days from the date of such notice, provided the licensee requests a hearing in writing within ten days of the date of the notice, which hearing shall be conducted in the same manner and under the same rules as those provided by any administrative procedure act enacted by the legislature, and if none is enacted then as provided by Title 28A, Section 43, et. seq., Code of Alabama, 1940, as last amended, except that the Attorney General is substituted for the Commissioner of Insurance. If hearing is not requested, then the license shall be revoked without further notice at the expiration of fourteen days from the date of notice. If hearing is requested, then after the hearing the license may be revoked if the Attorney General is reasonably satisfied that a violation has occurred, has not been corrected, or it is in the best interest of the public, or he may leave same in full force and effect. Upon appeal being taken, from the order of the Attorney General to the circuit court, such order be suspended pending the ruling of the circuit court on such appeal.

Section 8. The Attorney General shall require the licensee to keep such books and records as will enable the Attorney General to determine whether the provisions of this Act are being met, and may require same to be kept in a place of business within this State. Every such licensee shall preserve the records of final entry used in such business for a period of three (3) years after final remittance is made on any account placed with the licensee for collection or after any account has been returned to the claimant on which one or more payments have been made. Microfilm or other reproduction of the original record shall suffice as complying with this requirement.

Section 9. This Act shall not take away any rights, or causes of action for libel, slander, or invasion of the right of privacy which would lie irrespective of this Act.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective on October 1, 1971, upon its passage and approval by the Governor, or upon its otherwise becoming a law, and in the event that the Attorney General shall not be able to process all applicants by October 31, 1973, no applicant shall be in default or delinquent in license because of this failure by that office provided the applicant shall have made application for such license prior to October 20, 1973.

And the substitute was adopted.

Yeas 56; Nays 2.

Yeas:

Messrs.:
Adams
Agee

Bank
Barron
Benton

Boutwell
Brassell
Carnes

Carter
Casey
Cauthen

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Chesnut	Gray (F)	Meeks	Smith (P)
Collins	Grey (D)	Mims	Snell
Connell	Headley	Nettles	Stubbs
Cottingham	Hearn	O'Daniel	Taylor
Crawford	Hill	Owens	Therrell
Cross	King	Parker	Timmons
Downing	Kinsey	Perloff	Turner
Ellis	Lutz	Reed (T)	Waldrop
Fite	McMillan	Reynolds	Weeks
Flippo	McNair	St. John	Williams
Goodwin	Manley	Smith (K)	Wynot
Grainger			

—56

Nays: Messrs. Burgess and Naramore. —2

Mr. Callahan offered the following amendment to the bill, H. 1007 as amended:

Amend Sec. 3 Line 5 by substituting the figure \$10,000 for the figure \$25,000.

And the amendment was adopted.

Yeas 63; Nays 2.

Yeas:

Messrs.:	Connell	Hearn	Pruitt
Adams	Cottingham	Hill	Reed (T)
Adwell	Crawford	Hobbie	Reid (R)
Agee	Cross	Jackson	Reynolds
Barron	Downing	King	Roberts
Benton	Drake	Kinsey	St. John
Boles	Edwards	McMillan	Smith (K)
Boutwell	Ellis	Manley	Smith (P)
Brassell	Flippo	Meeks	Snell
Burgess	Gafford	Mims	Stubbs
Carnes	Goodwin	Naramore	Timmons
Carter	Grainger	Nettles	Waldrop
Casey	Gray (F)	O'Daniel	Weeks
Cauthen	Grey (D)	Owens	Williams
Chesnut	Hardin	Perloff	Wise
Collins	Headley	Porter	Wynot

—63

Nays: Messrs. Lutz and McNair. —2

And the bill, H. 1007 as thus amended, was read a third time at length and passed.

Yeas 62; Nays 10.

Yeas:

Messrs.:	Carnes	Cross	Grainger
Adams	Carter	Culver	Gray (F)
Agee	Casey	Downing	Grey (D)
Bank	Cauthen	Drake	Hardin
Barron	Chesnut	Ellis	Headley
Benton	Collins	Fite	Hill
Boles	Connell	Flippo	Hobbie
Brassell	Cottingham	Goodwin	Jackson

Jones (F)	Mathews	Roberts	Turner
King	Meeks	St. John	Waldrop
Kinsey	Owens	Smith (K)	Weeks
Lutz	Parker	Smith (P)	Williams
McCluskey	Perloff	Snell	Wise
McMillan	Pruitt	Stubbs	Wood
McNair	Reed (T)	Taylor	Wynot
Manley	Reynolds	Timmons	

—62

Nays:

Messrs.:	Crawford	Naramore	Wallace
Barkett	Easters	Porter	Warren
Burgess	Gafford	Therrell	

—10

RULE SUSPENDED

On motion of Mr. Hill, Rule 4(4) was suspended to permit the bill, H. 1007, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Burgess, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1186.

And the bill:

H. 1186. To provide further for retirement of certain public employees; to authorize, provide for and regulate the awarding of prior service credit for part-time state employment to certain members of the state employees' retirement system; and to make an appropriation for the purpose of paying the employer's contribution toward retirement on the basis of such prior service credit.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Messrs.:	Downing	Jones (F)	Reed (T)
Adams	Drake	King	Reid (R)
Agee	Easters	Kinsey	Reynolds
Bank	Edwards	Lutz	St. John
Barkett	Ellis	McBride	Smith (K)
Barron	Erdreich	McCluskey	Smith (P)
Benton	Falkenburg	McDonald	Stokes
Boles	Fite	McMillan	Stubbs
Boutwell	Flippo	McNair	Taylor
Brassell	Gafford	Manley	Therrell
Burgess	Goodwin	Mathews	Timmons
Carnes	Grainger	May	Turner
Carter	Gray (F)	Meeks	Waggoner
Casey	Grey (D)	Merrill	Waldrop
Cauthen	Hale	Mims	Wallace
Chesnut	Hardin	Naramore	Warren
Collins	Headley	O'Daniel	Weeks
Connell	Hearn	Owens	Williams
Cottingham	Hill	Parker	Wise
Crawford	Hobbie	Porter	Wood
Cross	Jackson	Pruitt	Wynot
Culver			

—84

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RULE SUSPENDED

On motion of Mr. Burgess, Rule 4(4) was suspended to permit the bill, H. 1186, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1186, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Jackson, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar the third reading of the bill, H. 1539.

And the bill:

H. 1539. (With Amendment): To create within the State Department of Education a division to be known as the Junior College Division; to divert the responsibility for the coordination, management, and control of public junior colleges now vested in the higher education branch of the division of vocational education to a separate division for junior colleges; to establish a position of Junior College Division Director; and to set standards of qualifications for persons to be considered for the position of Director.

The question was then on the adoption of the amendment reported by the Standing Committee on Education, said Committee amendment being as follows:

Amend to delete the sentence in Section 4 of House Bill 1539 as follows:

"The minimum qualifications for any considered applicant and subsequently appointed director of the Junior College Division shall be an earned doctorate degree from an institution accredited by a recognized accrediting agency, graduate course work related specifically to the junior college as an institution and at least three (3) calendar years or the equivalent time of thirty-six (36) months work on a public junior college campus."

And place in lieu thereof the following sentence:

"The minimum qualifications for any considered applicant and subsequently appointed director of the Junior College Division shall be an earned masters degree from an institution accredited by a recognized accrediting agency, and working experience with the Junior College."

And the amendment was adopted.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Gafford
Adams	Callahan	Cross	Goodwin
Agee	Carnes	Culver	Grainger
Bank	Carter	Downing	Grey (D)
Barkett	Chesnut	Drake	Hale
Barron	Collins	Easters	Hardin
Boles	Connell	Edwards	Headley
Boutwell	Cottingham	Ellis	Hearn

Hill	Nettles	Smith (K)	Turner
Hobbie	O'Daniel	Smith (P)	Waggoner
Jones (F)	Perloff	Stokes	Waldrop
King	Porter	Stubbs	Wallace
Lutz	Reed (T)	Taylor	Williams
Meeks	Reynolds	Therrell	Wise
Merrill	St. John	Timmons	Wynot
Naramore			

—61

And the bill, H.1539, as thus amended, was read a third time at length and passed.

Yeas 66; Nays 0.

Yeas:

Messrs.:	Crawford	Hearn	Reid (R)
Adams	Cross	Hill	Reynolds
Adwell	Culver	Hobbie	St. John
Agee	Downing	Jackson	Smith (K)
Bank	Drake	Jones (F)	Stokes
Barkett	Easters	King	Stubbs
Barron	Edwards	Lutz	Taylor
Boles	Ellis	Manley	Therrell
Boutwell	Erdreich	Meeks	Timmons
Brassell	Fite	Merrill	Turner
Callahan	Gafford	Naramore	Waldrop
Carnes	Goodwin	Nettles	Warren
Carter	Grainger	O'Daniel	Weeks
Chesnut	Grey (D)	Owens	Williams
Collins	Hale	Parker	Wise
Connell	Hardin	Porter	Wynot
Cottingham	Headley	Reed (T)	

—66

RULE SUSPENDED

On motion of Mr. Jackson, Rule 4(4) was suspended to permit the bill, H. 1539, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1539, was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning House Bill No. 1463, without the Governor's approval, and with a suggested Executive Amendment.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 28TH DAY OF AUGUST, 1973.

REGULAR SESSION
34th Day

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To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 1463 without my approval and with a suggested Executive Amendment.

This Bill in essence provides for the handling, purchase and sale of bulk wines in Montgomery County by retail ABC licensees. I realize that this Bill received a majority vote by the elected House and Senate members from Montgomery County and without any reflection on their judgment or ability to represent Montgomery County, I am of the opinion that this Bill represents such a departure from the long standing exclusive control over the sale of wine by the Alabama Alcoholic Beverage Control Board that it should be submitted to the people of Montgomery County for their consideration at the polls.

With the foregoing in mind, it is suggested that the title of said Bill be amended so as to add after the last word in said title the following:

"and to provide for a referendum of the voters of the County on the question of whether the Act will become effective in the County."

It is further suggested that Section 5 be deleted and the following substituted therefor:

"Section 5. The county commission shall call and provide for holding a referendum for the purpose of determining if this Act shall become operative. The referendum shall be held on the same day as the next general, special, or primary election held in the county, and shall be advertised, held, conducted and the results thereof canvassed in the manner provided by law for advertising, holding, and canvassing county elections.

"The question to be voted on shall be stated on the ballots or voting machine tabs substantially as follows: 'Do you favor allowing the retail sale of wines as provided in Act No. _____ approved _____, 1973?' If the majority of the votes cast in the referendum are 'yes', the sale of wines, as provided for in this Act, shall be legal in the county and this Act shall become operative therein; if the majority of the votes cast in the election are 'no', this Act shall have no further effect. The Probate Judge of the county shall certify the results to the Secretary of State of Alabama in thirty (30) days after the election returns are canvassed."

It is further suggested that the Bill be amended by adding the following:

"Section 6. This Act shall become effective upon its passage and approval by the Governor or by its otherwise becoming a law."

Respectfully,
GEORGE C. WALLACE,
Governor of Alabama.

GOVERNOR'S AMENDMENT TABLED

On motion of Mr. Jones (F), the amendment proposed by His Excellency, the Governor, to the bill, H. 1463, said amendment being set out in the above and foregoing Message from the Governor, was tabled.

Yeas 41; Nays 9.

Yeas:

Messrs.:	Coshatt	Jones (F)	Parker
Adwell	Culver	King	Reed (T)
Bank	Downing	Lutz	Reynolds
Barkett	Erdreich	McBride	Roberts
Benton	Falkenburg	McMillan	Stokes
Boles	Fite	McNair	Taylor
Brassell	Grainger	May	Timmons
Callahan	Gray (F)	Meeks	Waggoner
Carnes	Hearn	Naramore	Waldrop
Cauthen	Hill	Nettles	Wood
Collins	Hobbie		

—41

Nays:

Messrs.:	Cottingham	Hale	Reid (R)
Barron	Crawford	Mims	Warren
Connell	Goodwin		

—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1463. Relating to counties having populations of not less than 150,000 nor more than 180,000; to allow all Alabama Beverage Control Board licensees to sell wines containing not more than fourteen percent alcohol by volume from bulk containers; and prescribing penalties.

Was again read at length, and the House failed to pass the bill over the Governor's objection, lacking a majority of the whole number elected to the House.

Yeas 49; Nays 9.

Yeas:

Messrs.:	Coshatt	Lutz	Reed (T)
Adwell	Crawford	McBride	Roberts
Bank	Culver	McCluskey	St. John
Barkett	Downing	McDonald	Stokes
Benton	Erdreich	McMillan	Stubbs
Boles	Falkenburg	McNair	Taylor
Boutwell	Flippo	Manley	Timmons
Brassell	Grainger	May	Turner
Callahan	Gray (F)	Meeks	Waggoner
Carnes	Hearn	Naramore	Waldrop
Carter	Hill	Nettles	Weeks
Cauthen	Hobbie	Parker	Wood
Collins	Jones (F)		

—49

Nays:

Messrs.:	Connell	Mims	Reynolds
Barron	Cottingham	Reid (R)	Warren
Chesnut	Headley		

—9

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Falkenburg, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar, the third reading of the bill, H. 1358.

And the bill:

H. 1358. To name and designate a certain structure in the Alabama Heart Hospital at the Medical Center of the University of Alabama in Birmingham as the "Spain Tower."

Was taken up.

Mr. Falkenburg offered the following substitute to the bill:

To name and designate a certain structure in the Alabama Heart Hospital at the Medical Center of the University of Alabama in Birmingham as the "Spain Tower."

WHEREAS, Frank E. Spain has made major contributions to the State of Alabama through his legal practice and has been instrumental and innovative in the development of the City of Birmingham and has given of his time and resources to many philanthropic causes, including the Medical Center of the University of Alabama in Birmingham; and,

WHEREAS, Mr. Spain and his wife Margaret C. Spain have made possible the construction of the Spain Rehabilitation Center through their magnificent generosity to the University which when matched by Federal funds provided a total facility at a cost of more than three million dollars; and,

WHEREAS, Frank E. Spain has made significant gifts to the Eye Foundation Hospital in the Medical Center and he and his family have given generously toward the construction of a pavilion at the Spain Rehabilitation Center; and,

WHEREAS, Frank E. Spain has recently provided additional liberal sums to the University of Alabama in Birmingham to help complete facilities which are a part of the Alabama Heart Hospital; and,

WHEREAS, the Board of Trustees of the University of Alabama has previously authorized the designation of this building in the expanded University Hospital complex as the "Spain Tower" of the Alabama Heart Hospital; and,

WHEREAS, this Legislature deems it fitting that this facility should bear the name of this humanitarian individual; now therefore,

Be It Enacted by the Legislature of Alabama:

Section 1. The new bed tower of the Alabama Heart Hospital at the Medical Center of the University of Alabama in Birmingham is hereby designated the "Spain Tower" in honor of Frank E. Spain and the Spain family.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 69; Nays 0.

Yeas:

Messrs.:	Cross	Lang	Reed (T)
Adams	Culver	Lutz	Reynolds
Adwell	Doss	McBride	Roberts
Agee	Downing	McCluskey	St. John
Bank	Easters	McDonald	Smith (K)
Barkett	Edwards	McMillan	Smith (P)
Barron	Fite	McNair	Stokes
Boles	Flippo	Manley	Stubbs
Boutwell	Goodwin	May	Therrell
Brassell	Grainger	Meeks	Timmons
Carnes	Gray (F)	Merrill	Turner
Carter	Grey (D)	Mims	Waggoner
Casey	Hardin	Naramore	Warren
Cauthen	Headley	Nettles	Williams
Chesnut	Hill	O'Daniel	Wise
Collins	Hughes	Owens	Wood
Coshatt	King	Parker	Wynot
Cottingham	Kinsey		

—69

And the bill, H. 1358 as thus amended, was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Messrs.:	Cottingham	Hughes	Reynolds
Adams	Crawford	King	Roberts
Adwell	Cross	Lang	St. John
Agee	Culver	Lutz	Smith (K)
Bank	Doss	McBride	Smith (P)
Barkett	Downing	McCluskey	Stewart
Barron	Easters	McDonald	Stokes
Benton	Edwards	McMillan	Stubbs
Boles	Fite	McNair	Therrell
Boutwell	Flippo	Manley	Timmons
Brassell	Goodwin	Meeks	Turner
Carnes	Grainger	Merrill	Waggoner
Carter	Gray (F)	Mims	Waldrop
Casey	Grey (D)	Naramore	Wallace
Cauthen	Hardin	Nettles	Warren
Chesnut	Headley	O'Daniel	Wise
Collins	Hearn	Owens	Wood
Connell	Hill	Parker	Wynot

—71

RULE SUSPENDED

On motion of Mr. Falkenburg, Rule 4(4) was suspended to permit the bill, H. 1358, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

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And the bill, H. 1358, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Lutz, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 2266.

And the bill:

H. 2266. To amend Title 61, Section 69, Code of Alabama 1940, as amended, so as to provide that a non-resident may be appointed executor of a decedent's estate upon the consent of all heirs at law, legatees, and claimants of record of such estate.

Was read a third time at length and passed.

Yeas 64; Nays 2.

Yeas:

Messrs.:	Cross	Kinsey	Pruitt
Adams	Doss	Lang	Reed (T)
Agee	Downing	Lutz	Reynolds
Bank	Easters	McBride	Roberts
Barkett	Edwards	McCluskey	St. John
Barron	Flippo	McDonald	Smith (K)
Boles	Goodwin	McNair	Smith (P)
Boutwell	Grainger	Manley	Stewart
Brassell	Gray (F)	Mathews	Stokes
Callahan	Grey (D)	May	Stubbs
Carnes	Hardin	Mims	Therrell
Carter	Headley	Naramore	Timmons
Casey	Hearn	O'Daniel	Turner
Cauthen	Hill	Owens	Waldrop
Chesnut	Hobbie	Parker	Williams
Connell	King	Porter	Wood
Crawford			

—64

Nays: Messrs. McMillan and Meeks.

—2

RULE SUSPENDED

On motion of Mr. Lutz, Rule 4(4) was suspended to permit the bill, H. 2266, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 2266, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Adams, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1758.

And the bill:

H. 1758. To further provide for supernumerary district attorneys.

Was read a third time at length and passed.

Yeas 68; Nays 3.

Yeas:

Messrs.:	Downing	Hughes	Perloff
Adwell	Drake	King	Porter
Agee	Easters	Kinsey	Reed (T)
Bank	Edwards	Lang	Reynolds
Barkett	Ellis	Lutz	St. John
Barron	Fite	McBride	Smith (K)
Boles	Flipppo	McCluskey	Smith (P)
Boutwell	Gafford	McDonald	Stokes
Brassell	Goodwin	McMillan	Stubbs
Callahan	Grainger	Manley	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Mims	Turner
Casey	Hale	Naramore	Waldrop
Collins	Headley	Nettles	Wallace
Cottingham	Hearn	O'Daniel	Warren
Cross	Hill	Owens	Wood
Culver	Hobbie	Parker	Wynot
Doss			

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Nays: Messrs. Cauthen, Crawford and Stewart.

—3

RULE SUSPENDED

On motion of Mr. Adams, Rule 4(4) was suspended to permit the bill, H. 1758, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1758, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Roberts, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1075.

And the bill:

H. 1075. To grant to any medical clinic board heretofore or hereafter organized under the provisions of Act No. 516 enacted at the 1955 Regular Session of the Legislature of Alabama, as amended, the power to borrow money for temporary use for any purpose or purposes for which bonds are authorized to be issued under said act and to issue interest-bearing bond anticipation notes in evidence of such temporary borrowing and the power (in connection with the issuance by it of bonds under the provisions of said Act No. 516) to use and apply such portion of the proceeds from the sale of such bonds as its Board of Directors deems advisable, but not exceeding $7\frac{1}{2}\%$ of the principal amount thereof, for the purpose of creating a reserve or cushion for payment of the principal of and the interest on such bonds.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Messrs.:	Bank	Boles	Callahan
Adwell	Barkett	Boutwell	Carnes
Agee	Barron	Brassell	Carter

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Casey	Goodwin	McDonald	St. John
Cauthen	Grainger	McMillan	Smith (K)
Collins	Gray (F)	Manley	Smith (P)
Coshatt	Grey (D)	Mathews	Stewart
Cottingham	Hale	May	Stokes
Crawford	Hardin	Meeks	Stubbs
Cross	Headley	Merrill	Taylor
Crowe	Hearn	Mims	Therrell
Culver	Hill	Naramore	Turner
Doss	Hobbie	Owens	Waldrop
Downing	King	Porter	Wallace
Easters	Kinsey	Pruitt	Warren
Edwards	Lang	Reed (T)	Weeks
Ellis	Lutz	Reid (R)	Williams
Erdreich	McBride	Reynolds	Wood
Flippo	McCluskey	Roberts	Wynot
Gafford			

—76

RULE SUSPENDED

On motion of Mr. Roberts, Rule 4(4) was suspended to permit the bill, H. 1075, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1075, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Culver, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar, the third reading of the bill, H. 526.

And the bill:

H. 526. To provide further for the disposition and use of the profits, including all taxes levied upon the selling price of spirituous or vinous liquors and certain taxes on malt and brewed beverages; amending Act No. 255, H. 313 Regular Session of 1943 (General Acts 1943, p. 226) and Act No. 92, H. 101, Second Special Session of 1963 (Acts, Second Special Session 1963, p. 257) and repealing Code of Alabama 1940, Title 29, Sections 10 and 11 and all other laws in conflict herewith.

Was taken up.

H. 526 INDEFINITELY POSTPONED

On motion of Mr. Culver, the bill, H. 526, was indefinitely postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Wilson:

S. 662. To provide compensation for total disability and death due to pneumoconiosis of coal miners and their dependents as herein defined in compliance with the provisions of the Federal Coal Mine Health and Safety

Act of 1969 as amended by the 96th Congress. And to provide for standards and presumptions for determining when and under what conditions such total disability or death is due to pneumoconiosis for eligibility for such benefits by coal miners and their dependents as herein provided. And to provide for the protection of such benefits and the payment thereof by coal mine operators as herein provided. And to provide that any claim or action filed herein for such total disability or death shall be deemed to have been timely filed if filed as herein required within three years of the discovery of such total disability or the date of death in the case of death. And to provide for the liability for the benefits herein as provided of prior and successor operators and as herein defined and to amend and supplement Act No. 1198 enacted by the 1971 Regular Session of the Alabama Legislature for miners employed at such mines.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 662. Business and Labor.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Doss, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 786.

And the bill:

H. 786. (With Substitute): Declaring privileged the decisions, opinions, actions and proceedings of committees of dentists formed or appointed as Utilization Review Committees and Peer Review Committees and similar committees and exempting the members thereof from liability when acting in good faith and without malice and on facts reasonably known or believed to exist.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Health, said Committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

Providing that committees of dentists appointed or formed as Utilization Review and Quality Control Committees, Peer Review Committees and Professional Standards Review Committees shall not be deemed liable in damages for actions taken or recommendations made when acting in good faith on facts reasonably known to exist.

Be It Enacted by the Legislature of Alabama:

Section 1. No member of a utilization review and quality control committee, peer review committee or professional standards review committee formed by a state or local association or society composed of licensed dentists

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shall be deemed liable in damages to any person for any action taken or recommendations made within the scope of the functions of such committee, if such committee member acts without malice and in the reasonable belief that such action or recommendation is warranted by the facts known to him after diligent effort to obtain the facts of the matter as to which such action is taken or recommendation is made.

Section 2. Within the words and meanings of this Act a committee shall include one formed or appointed to evaluate the diagnosis or treatment or the performance of services by other dentists or dental auxiliary personnel when such evaluation is requested by Medical Services Administration of the State of Alabama, or by any agency of the United States Government, or by the fiscal intermediary responsible for administration of group health care programs, or by the recipient of dental services under health care programs.

Section 3. The provider whose service is evaluated by committees as described in Section 2 shall have the right to appeal the decisions of said committees to the State Board of Health.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 59; Nays 0.

Yeas:

Messrs.:	Culver	Lang	Porter
Adwell	Downing	Lutz	Reed (T)
Agee	Drake	McBride	Reynolds
Bank	Easters	McCluskey	St. John
Barkett	Ellis	McDonald	Smith (K)
Barron	Erdreich	McMillan	Smith (P)
Boles	Gafford	McNair	Stokes
Boutwell	Goodwin	Mathews	Therrell
Brassell	Grainger	May	Timmons
Carnes	Gray (F)	Meeks	Turner
Carter	Hardin	Merrill	Waggoner
Casey	Headley	Mims	Waldrop
Chesnut	Hearn	Nettles	Wallace
Coshatt	Hobbie	Owens	Weeks
Cottingham	King	Parker	Wynot

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H. 786 INDEFINITELY POSTPONED

On motion of Mr. Cauthen, the bill, H. 786, was indefinitely postponed.

Yeas 26; Nays 23.

Yeas:

Messrs.:	Collins	Doss	Goodwin
Carnes	Cottingham	Fite	Hale
Cauthen	Crawford	Flippo	Hardin

Headley
Hill
King
McDonald

McMillan
Naramore
Porter
Pruitt

Stokes
Stubbs
Therrell
Turner

Waggoner
Wise
Wood

—26

Nays:

Messrs.:
Adwell
Agee
Bank
Barkett
Carter

Chesnut
Downing
Erdreich
Gafford
Grainger
Hobbie

McBride
McNair
Merrill
O'Daniel
Parker
St. John

Smith (K)
Smith (P)
Timmons
Waldrop
Wallace
Wynot

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Cross, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar the third reading of the bill, H. 840.

And the bill:

H. 840. To provide that county highway employees of any county of the State who are members of the State Employees' Retirement System as a **result of the responsibility for the construction, repair or maintenance of all county roads or bridges** within such county being assumed by the State Highway Department or any other agency of the State, shall, at the employee's option, be entitled to receive credit for service with such county in such capacity rendered prior to becoming a member of the Employees' Retirement System provided such county highway employee pays into such Retirement System the required amount of contributions and interest for such period of service with the county and provided that such county highway employee pays into the retirement system the employer's amount of contribution and interest, unless the county elects to pay this amount; to provide that the Board of Control of the Employee's Retirement System shall adopt rules and regulations and shall fix and determine the accredited service and the amount to be contributed to the Retirement System by such employee and the county where he served; to provide that after the effective date of this act any such county highway employees who become members of the Employees' Retirement System shall be entitled to the provisions of this act.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Messrs.:
Adams
Adwell
Agee
Bank
Barkett

Barron
Benton
Boles
Boutwell
Brassell
Carnes

Carter
Casey
Cauthen
Chesnut
Connell
Coshatt

Cottingham
Crawford
Cross
Downing
Easters
Edwards

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Ellis	Kinsey	Naramore	Snell
Erdreich	Lutz	Nettles	Stokes
Fite	McBride	O'Daniel	Stubbs
Flippo	McCluskey	Parker	Taylor
Goodwin	McDonald	Porter	Therrell
Grainger	McMillan	Pruitt	Timmons
Hardin	McNair	Reid (R)	Waldrop
Headley	Manley	Reynolds	Wallace
Hearn	Mathews	Roberts	Warren
Hill	May	St. John	Williams
Hobbie	Meeks	Smith (K)	Wise
King	Mims	Smith (P)	Wynot

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RULE SUSPENDED

On motion of Mr. Cross, Rule 4(4) was suspended to permit the bill, H. 840, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 840, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Agee to suspend the rules in order to take up for immediate consideration from the Special Order Calendar the third reading of the bill, H. 624, was lost, lacking a four-fifths vote.

Yeas 44; Nays 14.

Yeas:

Messrs.:	Downing	King	Smith (P)
Adams	Easters	Kinsey	Snell
Adwell	Edwards	McDonald	Stewart
Agee	Ellis	McNair	Stubbs
Bank	Erdreich	Merrill	Timmons
Brassell	Gafford	Mims	Waldrop
Callahan	Goodwin	O'Daniel	Wallace
Carter	Grainger	Parker	Warren
Collins	Headley	Reed (T)	Williams
Coshatt	Hill	St. John	Wise
Cottingham	Hughes	Smith (K)	Wynot
Doss			

—44

Nays:

Messrs.:	Chesnut	McMillan	Porter
Barkett	Crawford	Meeks	Stokes
Carnes	Fite	Naramore	Wood
Cauthen	McBride	Nettles	

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Nettles, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 375.

And the bill:

H. 375. To make an appropriation from the state treasury for the relief of Harry V. Schmidt.

Was read a third time at length and passed.

Yeas 63; Nays 2.

Yeas:

Messrs.:	Cottingham	Kinsey	St. John
Adams	Crawford	Lutz	Smith (K)
Adwell	Crowe	McBride	Snell
Bank	Downing	McDonald	Stewart
Barkett	Easters	McMillan	Stokes
Barron	Edwards	McNair	Stubbs
Boles	Ellis	May	Taylor
Boutwell	Erdreich	Meeks	Therrell
Brassell	Gafford	Mims	Timmons
Callahan	Goodwin	Nettles	Waldrop
Carnes	Grainger	O'Daniel	Wallace
Carter	Hardin	Owens	Warren
Chesnut	Headley	Parker	Weeks
Collins	Hobbie	Perloff	Williams
Connell	Hughes	Pruitt	Wood
Coshatt	King	Roberts	Wynot

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Nays: Messrs. Cauthen and Hearn.

—2

RULE SUSPENDED

On motion of Mr. Nettles, Rule 4(4) was suspended to permit the bill, H. 375, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 375, was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 1300. To amend Section 4 of Act No. 1292, H. 1795, Regular Session, (Acts 1971, p. 2220) providing for the office of commissioner and deputy commissioner of licenses in counties having a population of not less than one hundred fifteen thousand and not more than one hundred fifty thousand according to the last or any subsequent decennial federal census, so as to provide for the establishment of the deputy commissioner's salary, require such commissioner to be bonded, and take an oath of office.

And said Bill, H. B. 1300, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 205. Relating to taxation: exempting the Episcopal Foundation of Jefferson County and the Alabama Heart Association and their property from state, county and municipal taxes, licenses, fees and excises, under certain prescribed conditions.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Lyons the House non-concurred in the Senate amendment to the bill, H. 205, said Senate amendment being as follows:

AMENDMENT TO H. B. 205

Amend the title and Sections 1 and 2 by adding immediately preceding the words the Episcopal Foundation of Jefferson County the words:

the Alabama Society of the Daughters of the American Revolution.
Shrine Temples of A.A.O.N.M.S.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Crawford	Kinsey	Pruitt
Adams	Cross	Lutz	Robertson
Adwell	Crowe	McBride	St. John
Agee	Culver	McCluskey	Smith (K)
Bank	Doss	McDonald	Smith (P)
Barkett	Downing	McMillan	Snell
Barron	Easters	McNair	Stewart
Boles	Edwards	Manley	Stokes
Boutwell	Ellis	Mathews	Taylor
Brassell	Fite	May	Therrell
Callahan	Gafford	Meeks	Timmons
Carnes	Goodwin	Merrill	Turner
Carter	Grainger	Mims	Waggoner
Casey	Gray (F)	Naramore	Waldrop
Cauthen	Hardin	Nettles	Wallace
Chesnut	Hearn	O'Daniel	Weeks
Collins	Hobbie	Owens	Williams
Connell	Hughes	Parker	Wood
Coshatt	Jackson	Porter	Wynot
Cottingham	King		

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On motion of Mr. Lyons, a Committee on Conference was granted on the disagreement of the two Houses on the Senate amendment to the bill, H. 205.

The Speaker of the House named as the Committee on Conference on the part of the House, Messrs. Owens, Hardin and Jackson.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1647. Relating to Chambers County; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, providing for operation of their offices, and to allow the county governing body to pay certain allowances to county officers for expenses they incur to attend the conventions of their respective associations or in the conduct of other business for the county.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Snell, the House non-concurred in the Senate amendment to the bill, H. 1647, said Senate amendment being as follows:

Substitute the following for Section 2:

"Section 2. The governing body of Chambers County shall provide compensation for clerks, deputies, assistants, and secretaries for the officers enumerated in this act, provided, however, that no compensation or salary may be given or received by any member of the governing body of Chambers County, the Chambers County Commission, as long as anyone serves on the Burnt Village Park Authority as an officer, treasurer, secretary, or employee of the **Burnt Village Park Authority** who is not an actual bonafide resident of Alabama in accordance with Act #302 of the 1973 Regular Session."

Yeas 65; Nays 0.

Yeas:

Messrs.:	Culver	Kinsey	Reed (T)
Adwell	Downing	Lang	Robertson
Barkett	Easters	Lutz	St. John
Barron	Edwards	McBride	Smith (K)
Boutwell	Erdreich	McDonald	Smith (P)
Brassell	Fite	McMillan	Snell
Callahan	Flippo	Manley	Stewart
Carnes	Gafford	May	Taylor
Carter	Goodwin	Meeks	Timmons
Casey	Grainger	Merrill	Turner
Chesnut	Gray (F)	Mims	Wallace
Collins	Hardin	Naramore	Warren
Connell	Headley	O'Daniel	Weeks
Coshatt	Hearn	Parker	Williams
Cottingham	Hill	Porter	Wood
Crawford	Hobbie	Pruitt	Wynot
Cross	Hughes		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

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H. 1268. Relating to Henry County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Crawford, the House concurred in and adopted the Senate amendment to the bill, H. 1268, said Senate amendment being as follows:

Strike out in its entirety Section 12 of the bill and insert in lieu thereof the following:

Section 12. This Act shall be inoperative and void unless it shall have been approved by a majority of the qualified electors of Henry County who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution, and shall be held on the same day as the next general, special, or primary election held in the county after final passage of this Act. Notice of the election shall be given by the judge of probate of Henry County, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition to be voted on shall be stated substantially as follows:

"Do you favor local Act No. —, H. B. 1268, approved —, 1973, levying a county sales tax and a county use tax for the purposes of the General Fund and public schools? Yes () No ()." If a majority of the votes cast at the election are affirmative votes, this Act shall be in full force and effect immediately thereafter. If a majority of the votes cast are in the negative, the Act shall have no further effect. The judge of probate of Henry County shall certify the results of the election to the Secretary of State and to the State Commissioner of Revenue.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Flippo	Lang
Adwell	Connell	Gafford	McBride
Bank	Coshatt	Goodwin	McCluskey
Barkett	Cottingham	Gray (F)	McDonald
Barron	Crawford	Hardin	McMillan
Boles	Cross	Headley	McNair
Boutwell	Crowe	Hearn	Manley
Brassell	Culver	Hill	Mathews
Callahan	Doss	Hobbie	May
Carnes	Downing	Hughes	Meeks
Carter	Easters	Jackson	Merrill
Casey	Edwards	King	Mims
Cauthen	Fite	Kinsey	Naramore

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O'Daniel	St. John	Taylor	Warren
Parker	Smith (K)	Turner	Weeks
Porter	Smith (P)	Waggoner	Williams
Pruitt	Snell	Waldrop	Wood
Reed (T)	Stewart	Wallace	Wynot
Robertson	Stubbs		

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And the bill, H. 1268 as thus amended, was again read at length and passed.

Yeas 69; Nays 0.

Yeas:

Messrs.:	Cross	Lang	Robertson
Adams	Culver	McBride	St. John
Adwell	Doss	McCluskey	Smith (K)
Barkett	Downing	McDonald	Smith (P)
Barron	Easters	McMillan	Snell
Boles	Edwards	McNair	Stewart
Boutwell	Ellis	Manley	Taylor
Brassell	Flippo	Mathews	Timmons
Burgess	Gafford	May	Turner
Callahan	Gray (F)	Meeks	Waggoner
Carnes	Hardin	Merrill	Waldrop
Carter	Hearn	Mims	Wallace
Casey	Hill	Naramore	Warren
Cauthen	Hobbie	O'Daniel	Weeks
Connell	Hughes	Porter	Williams
Coshatt	Jackson	Pruitt	Wood
Cottingham	King	Reed (T)	Wynot
Crawford	Kinsey		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1307. To amend Sections 1, 2, 3, 4, 8 and 9, Title 22, Code of Alabama 1940, as amended, which sections relate to the State Board of Health, so as to further regulate said Board.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Bank moved that the House concur in and adopt the Senate amendment to the bill, H. 1307, said Senate amendment being as follows:

Amend H. B. 1307 as Substituted by striking from Section (3) as they may appear therein the following words, "Provided that the medical doctor member or members of the councils shall not be eligible to serve as chairman."

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2, Title 22, Code of Alabama 1940, as amended and add Sections 2(a), 2(b), 2(c), 2(d), 2(e), which sections relate to the State

Board of Health, and the State Committee of Public Health so as to further regulate the same.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2, Title 22, Code of Alabama 1940, as amended, is hereby amended to read as follows:

"Section 2. There is hereby created a State Committee of Public Health which shall be composed of twelve members of the Board of Censors of the Medical Association of the State of Alabama and the chairman of the four councils which are created in section 2(a) of this Act. The medical doctor members of the committee shall be selected by the State Board of Health, one from each of the United State Congressional districts, and the remainder from the State at large. A majority of the State Committee of Public Health shall elect a chairman and a vice-chairman to serve one term of four years. Upon incapacitation or resignation of the chairman the vice-chairman shall succeed to the chairmanship of the committee. Each member of the State Committee of Public Health shall have one vote except the chairman who shall vote only in case of a tie. The State Health Officer shall be ex-officio secretary to the committee, though not a member thereof, and he shall have no vote."

Section 2. Section 2(a), Title 22, Code of Alabama 1940, as amended, shall read as follows:

"Section 2(a). There are hereby created four councils to be known as the (1) Council on Dental Health, (2) the Council on Animal and Environmental Health, (3) the Council on the Prevention of Disease and Medical Care, and (4) the Council on Health Costs, Administration and Organization. It shall be the duty of the Councils to provide public health information, evaluation of data, research, advice and recommendations to the State Committee of Public Health and perform such other functions as may be appropriate and as requested by the State Committee of Public Health.

The Council on Dental Health shall be composed of five members licensed to practice dentistry in this state and appointed by the Alabama Dental Association. The initial appointments shall be one member for one year, one member for two years, one member for three years, one member for four years and one member for five years.

The Council on Animal and Environmental Health shall be composed of five members as follows: three doctors of veterinary medicine appointed by the Alabama Veterinary Medical Association; one physician appointed by the Medical Association of the State of Alabama; one licensed professional engineer, trained and experienced in the environmental disciplines appointed by the American Consulting Engineers Council of Alabama. Of the five members of the Council on Animal and Environmental Health, the initial appointments by the Alabama Veterinary Medical Association shall be one for one year, one for three years, and one for five years; the initial appointment by the Medical Association of the State of Alabama shall be one for two years; the initial appointment by the American Consulting Engineers Council of Alabama shall be one for four years.

The Council on the Prevention of Disease and Medical Care shall be composed of five members as follows: two medical doctors appointed by the Medical Association of the State of Alabama; one nutritionist appointed by

the Alabama Dietetic Association; one licensed engineer trained and experienced in public health and sanitation appointed by the American Consulting Engineers Council of Alabama; one nurse appointed by the Alabama State Nurses Association. Of the five members of the Council on the prevention of Disease and Medical Care, the initial appointments by the Medical Association of the State of Alabama shall be one for one year, and one for five years; the initial appointment by the Alabama Dietetic Association shall be one for two years; the initial four years; the initial appointment by the American Consulting Engineers Council of Alabama shall be one for three years.

The Council on Health Costs, Administration and Organization shall be composed of six members as follows: One medical doctor appointed by the Medical Association of the State of Alabama; one doctor of dentistry appointed by the Alabama Dental Association; two representatives of the public who are residents of the State of Alabama appointed by the governor; one pharmacist appointed by the Alabama Pharmaceutical Association; and one hospital administrator appointed by the Alabama Hospital Association. Of the six members of the Council on Health Costs, Administration and Organization, the initial appointment by the Medical Association of the state of Alabama shall be for one year; the initial appointment by the Alabama Dental Association shall be for two years; the initial appointment of representatives of the public by the governor shall be for three years; the initial appointment by the Alabama Pharmaceutical Association shall be for four years; and the initial appointment by the Alabama Hospital Association shall be for five years."

Section 3. Section 2 (b), Title 22, Code of Alabama 1940, as amended, shall read as follows:

"Section 2 (b). Each of the associations or persons responsible for appointing members of the four councils created pursuant to Section 2 (a), shall make such appointments not later than ninety days after the effective date of this act. As soon as practicable after the appointments are made, each such Council shall meet and select from among its members by majority vote a chairman provided that the medical doctor member or members of the councils shall not be eligible to serve as chairman; and the chairman of each such council, by virtue of his selection as chairman, shall be a member of the State Committee of Public Health with full voting privileges, rights and responsibilities of membership. As each term expires on each Council, the designated association or person responsible for the original appointment shall fill the vacancy for a five year term. Appointees who serve less than five year terms shall be eligible for reappointment for only one five year term. A Council member who ceases to be a member of the appointing authority or who no longer is a resident of the state of Alabama shall automatically cease to be a member of the council, and his unexpired term shall be filled by the original appointing authority. No person shall be eligible for appointment to the State Committee of Public Health or to a Council created in section 2(a) of this act, who at the time of his appointment is sixty-five years of age. The chairman of the State Committee of Public Health shall call the first meeting of each Council within one hundred twenty days of enactment of this act to certify the membership of each, and at such meetings, a chairman for each Council shall be elected and a schedule of meetings established on a quarterly basis, or more frequently, as may be deemed necessary. A majority of the members of each Council shall constitute a quorum. The chairman of each Council shall serve for a term of two years and may be reelected as chairman

for not more than one successive term or for a total of four years as chairman. Members of the State Committee of Public Health and members of the four councils as outlined in this Section shall serve without compensation except for reimbursement for travel and out of pocket expenses."

Section 4. Section 2(c), Title 22, Code of Alabama 1940, as amended, shall read as follows:

"Section 2(c). The State Committee of Public Health shall elect an executive officer who shall be a physician licensed in the state of Alabama to be known as the State Health Officer, and shall fix his term of office and salary. The qualifications of this individual shall be determined by the newly constituted State Committee of Public Health. The State Health Officer so elected shall, under the direction of the State Committee of Public Health and with the approval of the state personnel board, fix the salaries of the medical employees of the State Committee of Public Health. The State Health Officer shall exercise general supervision over county boards of health and county health officers, and promptly report to said county boards of health any delinquencies of official duty on the part of said county health officers which may come to his knowledge; keep himself informed in regard to all diseases which may be in danger of invading the state, and, as far as authorized by law, take prompt measures to prevent such invasions; and keep the governor and the legislature informed as to the health conditions prevailing in the state, especially as to outbreaks of any of the diseases enumerated in Section 47 of this Title, and submit to the governor and legislature such recommendations as he deems proper to control such outbreaks."

Section 5. Section 2(d), Title 22, Code of Alabama 1940, as amended, shall read as follows:

"Section 2(d). Whenever the words 'State Board of Health' are used in this title, or in any chapter, or subsection thereof, said words shall mean the 'State Committee of Public Health' as created above except when the State Board of Health is in actual session assembled. The State Committee of Public Health as constituted by this act shall have and possess all the prerogatives and powers and duties heretofore prescribed by law for the State Board of Health and shall act for said Board. The State Board of Health may by a three-fifths vote alter or amend any action of the State Committee of Public Health but only when said Board is in session assembled."

Section 6. Section 2(e), Title 22, Code of Alabama 1940, as amended, shall read as follows:

"Section 2(e). The State Committee of Public Health and the State Board of Health shall be accountable to the legislature of Alabama and shall make an annual report to the legislature. The legislature or any committee thereof may, from time to time, request certain information from the State Board of Health and the State Committee of Public Health and both groups are hereby directed to lend its full cooperation in response to these requests. When the State Committee of Public Health is not in session, the State Health Officer, as executive officer of the Department of Public Health, shall act for said Committee and shall have and discharge all the prerogatives and duties of said Committee. He shall report his actions to the Committee at its next meeting after such action is taken, and such action of the State Health Officer shall then be subject to confirmation or modification by the Committee."

Meetings of the State Committee of Public Health shall be held monthly. A majority of the members shall constitute a quorum. Special meetings of the Committee may be called by the chairman, upon ten days prior written notice to the members thereof."

Section 7. All laws or parts of laws which conflict with this act are repealed.

Section 8. This act shall become effective January 1, 1974, and by approval of the governor, or upon its otherwise becoming law.

SUBSTITUTE MOTION TABLED

On motion of Mr. Bank, the substitute motion offered by Mr. Waldrop that the House non-concur in the Senate amendment to the bill, H. 1307, was tabled.

Yeas 70; Nays 8.

Yeas:

Messrs.:	Crawford	Jackson	Reid (R)
Adams	Cross	Kinsey	Roberts
Adwell	Culver	Lang	Robertson
Agee	Downing	Lutz	St. John
Bank	Drake	McBride	Smith (K)
Barkett	Easters	McCluskey	Smith (P)
Benton	Edwards	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Brassell	Flippo	Manley	Stubbs
Burgess	Goodwin	Mathews	Therrell
Callahan	Grainger	May	Turner
Carter	Gray (F)	Meeks	Waggoner
Casey	Hardin	Merrill	Wallace
Cauthen	Headley	Mims	Warren
Chesnut	Hearn	Owens	Weeks
Collins	Hill	Parker	Williams
Connell	Hobbie	Porter	Wood
Cottingham	Hughes	Pruitt	

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Nays:

Messrs.:	Coshatt	King	Waldrop
Boles	Ellis	Taylor	Wynot
Carnes			

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The question was then on the motion offered by Mr. Bank, that the House concur in and adopt the Senate amendment to the bill, H. 1307, and the motion was adopted.

Yeas 78; Nays 4.

Yeas:

Messrs.:	Boutwell	Collins	Drake
Adams	Brassell	Connell	Easters
Adwell	Burgess	Cottingham	Edwards
Agee	Callahan	Crawford	Ellis
Bank	Carter	Crowe	Fite
Barkett	Casey	Culver	Flippo
Benton	Cauthen	Doss	Gafford
Boles	Chesnut	Downing	Goodwin

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Grainger	Lutz	O'Daniel	Snell
Gray (F)	McBride	Owens	Stewart
Hale	McCluskey	Parker	Stubbs
Hardin	McDonald	Porter	Taylor
Headley	McMillan	Pruitt	Therrell
Hearn	Manley	Reed (T)	Turner
Hill	Mathews	Reid (R)	Waggoner
Hobbie	May	Roberts	Warren
Hughes	Meeks	Robertson	Weeks
Jackson	Merrill	St. John	Williams
Kinsey	Mims	Smith (K)	Wood
Kinsey	Mims	Smith (P)	
Lang	Naramore		—78
<i>Nays:</i>			
Messrs.:	Coshatt	King	Waldrop
Carnes			—4

And the bill:

H. 1307. To amend Section 2, Title 22, Code of Alabama 1940, as amended and add Sections 2(a), 2(b), 2(c), 2(d), 2(e), which sections relate to the State Board of Health, and the State Committee of Public Health so as to further regulate the same.

As thus amended, was again read at length and passed.

Yeas 80; Nays 1.

Yeas:

Messrs.:	Culver	Jackson	Pruitt
Adams	Doss	Jones (F)	Reed (T)
Adwell	Downing	King	Reid (R)
Agee	Drake	Kinsey	Roberts
Bank	Easters	Lang	St. John
Barkett	Edwards	Lutz	Smith (K)
Benton	Ellis	McBride	Smith (P)
Boles	Erdreich	McDonald	Snell
Boutwell	Fite	McMillan	Stewart
Brassell	Flippo	Manley	Stubbs
Burgess	Gafford	Mathews	Taylor
Carter	Goodwin	May	Therrell
Casey	Grainger	Meeks	Turner
Cauthen	Gray (F)	Merrill	Waggoner
Chesnut	Hale	Mims	Waldrop
Collins	Hardin	Naramore	Warren
Connell	Headley	O'Daniel	Weeks
Cottingham	Hearn	Owens	Williams
Crawford	Hill	Parker	Wood
Cross	Hughes	Porter	Wynot
Crowe			—80

Nay: Mr. Carnes.

—1

**REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1300. To amend Section 4 of Act No. 1292, H. 1795, Regular Session, (Acts 1971, p. 2220) providing for the office of commissioner and deputy commissioner of licenses in counties having a population of not less than one hundred fifteen thousand and not more than one hundred fifty thousand according to the last or any subsequent decennial federal census, so as to provide for the establishment of the deputy commissioner's salary, require such commissioner to be bonded, and take an oath of office.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Wilder:

S. J. R. 109. COMMENDING CERTIFIED NURSE ANESTHETISTS.

Also:

By Mr. Owen:

S. J. R. 110. DESIGNATING THE DENTAL CLINIC AT THE JAMES H. FAULKNER STATE JUNIOR COLLEGE IN BAY MINETTE "THE HAROLD B. PEARSON DENTAL CLINIC".

Also:

By Mr. Harris:

S. J. R. 112. RENAMING "CLIFF HARE STADIUM" AT AUBURN UNIVERSITY "JORDAN-HARE STADIUM".

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolutions, S. J. R. 109, S. J. R. 110 and S. J. R. 112, set out in the above and foregoing Message from the Senate were read and referred to the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

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By Mr. Callahan:

H. R. 253. Be it resolved that H. B. 1307 be henceforth known as the Bert Bank Bill.

On motion of Mr. Callahan, the rules were suspended and the resolution, H. R. 253, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Boles, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 878.

And the bill:

H. 878. To amend Section 4 of Act No. 1260, S. 79, Regular Session 1971 (Acts 1971, p. 2175), which Act provides for water pollution control and establishes the Water Improvement Commission, so as to provide that the Warrior River from its source to Lock 17 of the U. S. Corps of Engineers shall be classified as fit for swimming, or an equal or higher classification, and be afforded the protection provided to such classification.

Was read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

Messrs.:	Downing	Hobbie	Reed (T)
Adams	Drake	Jackson	Reid (R)
Adwell	Easters	King	Reynolds
Barkett	Edwards	Lang	Roberts
Benton	Erdreich	Lutz	Robertson
Boles	Falkenburg	McBride	St. John
Boutwell	Fite	McCluskey	Smith (K)
Brassell	Flippo	McDonald	Snell
Carnes	Gafford	McMillan	Stewart
Carter	Goodwin	McNair	Stubbs
Casey	Grainger	Manley	Taylor
Chesnut	Gray (F)	Mathews	Therrell
Collins	Grey (D)	May	Turner
Connell	Hale	Meeks	Waggoner
Cottingham	Hardin	Naramore	Waldrop
Crawford	Headley	O'Daniel	Warren
Cross	Hearn	Parker	Weeks
Crowe	Hill	Porter	Wynot
Doss			

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RULE SUSPENDED

On motion of Mr. Boles, Rule 4(4) was suspended to permit the bill, H. 878, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 878, was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 677. Further amending Code of Alabama 1940, Title 22, Sections 23, 24, 25, 26, 27, 28, 29, 30, 31 and adding Section 31 (1), relating to Vital Statistics; providing for registration of death by the funeral director and filing a certificate of death by the attending physician or coroner in certain cases.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bank, the House concurred in and adopted the Senate amendment to the bill, H. 677, said Senate amendment being as follows:

A BILL TO BE ENACTED AN ACT

Further amending Code of Alabama 1940, Title 22, Sections 23, 24, 25, 26, 27, 28, 29, 30, 31 and adding Section 31 (1), relating to Vital Statistics; providing for registration of death by the funeral director and filing a certificate of death by the attending physician or coroner in certain cases.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 22, Section 23, be amended to read as follows:

"Section 23. Receipts for burial or removal of dead bodies within the state prescribed. No dead human body shall be buried, cremated, or otherwise disposed of, or removed from or into any registration district, or be temporarily held pending further disposition more than seventy-two hours after death, unless a receipt for burial, removal, or other disposition thereof shall have been properly issued in the registration district in which the death occurred, or in which the body was found, and all receipts shall be issued by the person engaged in the disposition of the body and a copy sent directly to the local registrar. Blank receipts to be secured from the county health department. Prior to release of body a receipt must be received by the institution, hospital, nursing home from the person or persons engaged in the disposition of the body. It is unlawful for institutions, hospitals, nursing homes to release a body without receiving a receipt. In all cases the funeral director or other person in charge of interment or disposing of the body shall prepare and deliver a copy of the receipts to the local registrar either delivered in person or mailed. In addition, it is the duty of the funeral director to provide non-medical information or a completed certificate to the local registrar within five days after the death is known. Non-medical information includes the name of the physician, if any. These forms are to be prescribed and distributed by the state registrar upon approval by the state board of health."

Section 2. Code of Alabama 1940, Title 22, Section 24, to be amended to read as follows:

"Section 24. Fetal death registration. A certificate of every fetal death shall be filed with the local registrar of the district in which the fetal death occurs within three days after the occurrence is known; except that a certificate shall not be required if the fetus has not advanced to or beyond the twentieth week of uterogestation. If the place of fetal death is not known then the certificate shall be filed with the local registrar of the district in which the

fetus is found. It shall be the duty of the attending physician or midwife, to prepare a certificate of fetal death, properly filled out on a blank provided by the state board of health. The attendant on a fetal death, physician or midwife, shall sign the certificate and give his or her address and date of signature, together with such medical data pertaining thereto as he can furnish. In case of plural fetal deaths, a separate certificate shall be made for each child. If there be no attending physician or midwife, then it shall be the duty of the father or mother, or manager of the premises or institution, to prepare the certificate and to deliver same within three days to the registrar of the district in which the event took place. If there is interment of stillborn child, the person in charge shall be responsible for filing certificate.

Section 3. Code of Alabama 1940, Title 22, Section 25, be amended to read as follows:

"Section 25. Death registration. A certificate of death shall be filed with the local registrar of the district in which the death occurred within five days after the occurrence is known; or if the place of death is not known then with the local registrar of the district in which the body is found or death is pronounced. The funeral director, or other person in charge of interment, shall be responsible for obtaining and filing the certificate of death to local registrar with the non-medical data being completed. He shall obtain the personal and statistical particulars from the person best qualified to supply them. The funeral director shall record information to show place of death, date of death, proposed date and place of burial, or other disposition, over his signature and address. If it was a hospital death, data may be obtained from the hospital records. The funeral director shall then present the certificate to the local registrar with the name of the attending physician, if any, within five days after the death is known. If the case of any death that occurs without medical attendance, it shall be the duty of the funeral director, or other person in charge of interment, to notify the local county health officer, or the coroner if there is no county health officer by presenting the certificate to the local registrar.

Certificates of death if tendered sixty days or more after death must be authenticated by such sworn statements as the state board of health shall prescribe and filed with the state registrar. Nothing in this section shall exempt physicians or funeral directors or any other person in charge of interment from filing stillbirth and certificates of death as prescribed elsewhere in this chapter. At no time shall the funeral director inter a body without physician or county health officer or coroner approval if there is suspicion by the funeral director that death occurred from unnatural causes."

Section 4. Code of Alabama 1940, Title 22, Section 26, be amended to read as follows:

"Section 26. Medical portion of certificate of death. The medical certification of cause and time of death shall be completed, signed and filed by the attending physician, if any, otherwise the medical certification shall be made and signed by the county health officer or coroner as may be appropriate. The medical certification of the certificate of death shall be properly completed and returned to the local registrar within three days after receipt of the certificate. The attending physician shall certify the disease or condition directly leading to death, antecedent causes and conditions contributing to the death and such other medical data as may be required by the state registrar to properly classify the death. He shall also specify the time in attend-

ance, the time he last saw the deceased alive, the hour of the day at which death occurred, except deaths referred to the coroner. For the purposes of this act, an attending physician is one who has medical knowledge of the deceased or viewed the body, or last physician in attendance before death or a combination of the above. In the case of any death which occurs without medical attendance, the county health officer or coroner, when so notified by the funeral director or other person, shall investigate and make and file the certificate of death. Provided, that if the county health officer suspects suicide or is unable to ascertain the cause of death, or finds circumstances which cause suspicion that the death was caused by the criminal act of another, he shall then refer the case to the coroner or other proper officer for his investigation and certification. The county health officer, coroner, or other proper official whose duty it becomes to make the medical certificate shall state the name of the deceased, if known, the cause (disease) of death, or if an external cause, the means of death and whether (probably) accidental, suicidal or homicidal. It shall be the duty of the local registrar to secure the properly signed medical data on the certificate except when secured by the funeral director."

Section 5. Code of Alabama 1940, Title 22, Section 27, be amended to read as follows:

"Section 27. Burial or removal permit for out of state: Duty of funeral director. The funeral director, or other person in charge of interment, shall file the statistical data of the certificate of death along with the name of the attending physician with the local registrar in order to obtain a permit for burial, removal or other disposition of the body from the boundaries of this state. The funeral director shall deliver the burial permit to the person in charge of the place of burial before interring or otherwise disposing of the body outside of the state, or shall attach removal permit to the box containing the body when shipped by any transportation company."

Section 6. Code of Alabama 1940, Title 22, Section 28, be amended to read as follows:

"Section 28. Records and reports of funerals conducted or casket sales prescribed. Every person, firm or corporation selling a burial casket shall keep a record showing the name and post office address of the purchaser or orderer, the name, sex, color, and age of deceased, and date and place of death of deceased, which record shall be open to inspection of the state registrar or his accredited representative at all times. On the fifth day of each month the person, firm, or corporation selling caskets or each funeral director shall report each sale or funeral for the preceding month on such form as the state board of health shall provide, to the county health office. In case there are no sales of burial caskets or funerals conducted, that fact is to be reported on the fifth day of each month for the preceding month, on such form as the state board of health shall provide, to the county health office. Every person, firm, or corporation selling a casket at retail, and not having charge of the disposition of the body, shall enclose within the casket a notice, furnished by the state board of health, calling the attention of the person or persons in charge of the disposition of the body to the requirements of the law; also, a blank certificate of death, and any rules and regulations of the state board of health concerning the burial or other disposition of a dead human body. Provided, that each county health office shall send said casket sales reports for the preceding month to the state registrar on or before the tenth day of each month."

Section 7. Code of Alabama 1940, Title 22, Section 29, be amended to read as follows:

"Section 29. Funeral directors register with health office. No person shall engage in the business of funerals or of selling caskets unless said person files with the county health office of the county in which such business is carried on the name and address of the person or firm carrying on said business."

Section 8. Code of Alabama 1940, Title 22, Section 30, be amended to read as follows:

"Section 30. Wording of receipt where burial within state. If the interment, or other disposition of the body, is to be made within the state the wording of the receipt is to be determined by the state registrar subject to approval by the state board of health; provided however that said wording of the receipt shall not result in said receipt being punitive in its intent."

Section 9. Code of Alabama 1940, Title 22, Section 31, be amended to read as follows:

"Section 31. Duties of sextons in certain circumstances prescribed. No person in charge of any premises on which interments are made shall inter or permit the interment of, or other disposition of, any human body, unless it is accompanied by a receipt, removal or transit permit, as herein provided. And, such person shall endorse upon the said receipt the date of interment, over his signature, and shall return all receipts so endorsed to the local registrar of the registration district in which the place of interment is located within three days from the date of the interment, or within the time fixed by local ordinances. He shall keep a record of all bodies interred, or otherwise disposed of, on the premises under his charge, in each case stating the name of each deceased person, place of death, date of burial or disposal, and the name and address of the funeral director; which record shall at all times be open to official inspection. The sexton shall file a monthly report with the local registrar listing the deceased person's name, place of death, date of burial or disposal, and the name and address of the funeral director. This report is to be mailed to the county health office on the fifth day of each month. The county health office is to use the sexton's report in determining the completeness of death registration in that district."

Section 10. Code of Alabama 1940, Title 22, Section 31 (1), be added to read as follows:

"Section 31 (1). Penalties. Any person who violates any provisions of sections 23, 24, 25, 26, 27, 28, 29, 30, 31 of this chapter or any regulation adopted by the state board of health pertaining thereto shall be guilty of a misdemeanor and upon conviction can be fined up to fifty dollars (\$50.00), and imprisoned up to ten (10) days in the county."

Section 11. This Act is intended to relate entirely to the Alabama vital statistics system and is not intended to have effect on any other laws or parts of laws except to the extent in conflict with the positive provisions hereof.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

Yeas 80; Nays 0.

Yeas:

Messrs.:	Cross	Hughes	Reid (R)
Adams	Doss	Jackson	Reynolds
Adwell	Downing	King	Roberts
Bank	Drake	Lang	Robertson
Barkett	Easters	Lutz	St. John
Barron	Edwards	McBride	Smith (K)
Benton	Ellis	McCluskey	Smith (P)
Boles	Erdreich	McMillan	Snell
Boutwell	Fite	McNair	Stewart
Brassell	Flippo	Manley	Stubbs
Burgess	Goodwin	May	Taylor
Callahan	Grainger	Meeks	Therrell
Carnes	Gray (F)	Naramore	Turner
Carter	Gray (D)	Nettles	Waggoner
Casey	Hale	O'Daniel	Waldrop
Cauthen	Hardin	Owens	Warren
Chesnut	Headley	Parker	Weeks
Collins	Hearn	Porter	Williams
Connell	Hill	Pruitt	Wise
Cottingham	Hobbie	Reed (T)	Wynot
Crawford			

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And the bill, H. 677 as thus amended, was again read at length and passed.

Yeas 70; Nays 0.

Yeas:

Messrs.:	Cottingham	Hughes	Reynolds
Adams	Crawford	Jackson	Roberts
Adwell	Cross	King	Robertson
Bank	Doss	Lang	St. John
Barkett	Downing	Lutz	Smith (K)
Barron	Drake	McBride	Smith (P)
Benton	Easters	McCluskey	Snell
Boles	Edwards	McDonald	Stewart
Boutwell	Ellis	McMillan	Stubbs
Brassell	Erdreich	McNair	Taylor
Burgess	Fite	May	Therrell
Callahan	Goodwin	Meeks	Turner
Carnes	Grainger	Naramore	Waggoner
Carter	Gray (F)	Owens	Waldrop
Casey	Hardin	Parker	Warren
Chesnut	Headley	Porter	Weeks
Collins	Hearn	Reed (T)	Wynot
Connell	Hobbie	Reid (R)	

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MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Grainger, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar, the third reading of the bill, H. 1414.

And the bill:

H. 1414. To provide for the control and disposal of solid wastes as generated by the general public, businesses, institutions, and industry, and to

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require counties and municipalities to provide for the collection and disposal of solid wastes and authorize them to charge a fee therefor, and to contract for such services to be performed by others and to permit the formation of districts for areas beyond corporate limits or cooperative joint or mutual agreements between county governments and municipal governments for the operation and implementation of solid wastes management in a manner meeting public health standards, and granting authority for the establishment of rules and regulations to enforce the provisions of this Act, and to provide a penalty for violating this Act and rules and regulations pursuant thereto in the interest of the public health, comfort and safety.

Was read a third time at length and passed.

Yeas 66; Nays 1.

Yeas:

Messrs.:	Crawford	Jackson	Reed (T)
Adwell	Cross	King	Roberts
Bank	Crowe	Kinsey	St. John
Barkett	Doss	Lang	Smith (K)
Barron	Downing	Lutz	Smith (P)
Benton	Drake	McBride	Taylor
Boles	Easters	McCluskey	Therrell
Boutwell	Ellis	McDonald	Turner
Brassell	Erdreich	McMillan	Waggoner
Burgess	Goodwin	McNair	Waldrop
Callahan	Grainger	May	Wallace
Carnes	Gray (F)	Meeks	Warren
Carter	Hale	Mims	Weeks
Casey	Hardin	Naramore	Williams
Chesnut	Hearn	Owens	Wise
Connell	Hobbie	Parker	Wynot
Cottingham	Hughes	Porter	—66

Nay: Mr. Grey (D).

—1

RULE SUSPENDED

On motion of Mr. Grainger, Rule 4(4) was suspended to permit the bill, H. 1414, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1414, was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Fine:

S. 172. To provide that any health, hospitalization, surgical, or other medically-related insurance coverage of newborn infants who are included under any such family-type insurance policy issued in this state shall begin immediately from the moment of birth of such infant; and that the coverage and insurability of such infant shall not be disclaimed or otherwise denied by the insurer of such policy.

Also:

By Mr. Malone:

S. 896. Requiring immunization of children against or testing for certain diseases designated by the State Board of Health and requiring proof of immunization or testing prior to entry of children into school.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 172. Health.

S. 896. Health.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Harris:

S. 402. To provide that the State Personnel Department, with the advice of The Alabama State Employees' Association, shall provide for service recognition pins for state personnel.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 402. Commerce and Transportation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Hawkins:

S. 300. To amend further Sections 1, 2 and 3 of Act No. 47, H. 29, Regular Session 1951, (Acts 1951, p. 259) as last amended, which relates to the provision of educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased service men or veterans.

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Also:

By Mr. Fine:

S. 29. To amend Section 1 of Act No. 531, S. B. 101, Regular Session 1947, (Acts 1947, p. 388), as amended, which act provides for the compensation of members of the board of registrars.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 300. Military Affairs.

S. 29. Constitution and Elections.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 339. To make an appropriation to the department of agriculture and industries for the two fiscal years ending September 30, 1974 and September 30, 1975, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera and African swine fever.

Also:

H. 1678. To authorize and direct the Commissioner of Conservation and Natural Resources for One Dollar (\$1.00) to execute and deliver on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama and certain other real property to the Mobile County Board of School Commissioners; and to provide for the relinquishment of certain rights in a certain part of such property by the Mobile County Board of School Commissioners.

Also:

H. 1682. To transfer the historic property known as the Powder Magazine owned by the Finance Department of the State of Alabama to the City of Montgomery.

Also:

H. 1401. To amend Act Number 755 of the Regular Session of the Legislature of 1967 as amended by Act 1943 of the 1971 Regular Session of the Legislature relating to Supernumerary Tax Assessors, Collectors, License Commissioners and other officials by changing their requirements, qualifications and compensation.

Also:

H. 566. Relating to the thirty-seventh judicial circuit; providing for additional circuit court judge in such circuit.

Also:

H. 114. To authorize and provide for the payment out of the general fund in the state treasury of a gratuity to each member of the armed services from this State who was a prisoner of war in Vietnam; to provide for the administration of this Act by the State Department of Veterans Affairs.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. McCluskey to suspend the rules and bring up out of order the third reading of the bill, H. 794, was lost, lacking a four fifths vote.

Yeas 53; Nays 18.

Yeas:

Mr. Speaker	Crowe	Lutz	Reed (T)
Adwell	Doss	McCluskey	Robertson
Boles	Downing	McDonald	Smith (K)
Boutwell	Drake	Manley	Smith (P)
Brassell	Ellis	May	Stewart
Burgess	Erdreich	Meeks	Stubbs
Callahan	Falkenburg	Merrill	Therrell
Carter	Fite	Naramore	Turner
Casey	Grainger	Nettles	Waggoner
Cauthen	Gray (F)	O'Daniel	Wallace
Chesnut	Hale	Parker	Weeks
Collins	Hardin	Porter	Wise
Cottingham	Headley	Pruitt	Wynot
Cross			

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Nays:

Messrs.:	Goodwin	McBride	Taylor
Barron	Grey (D)	Mims	Waldrop
Carnes	Jackson	Reid (R)	Warren
Connell	Jones (F)	Reynolds	Wood
Crawford	King	St. John	

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MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Wise, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar, the third reading of the bill, H. 272.

And the bill:

H. 272. (With Substitute): To further amend Section 18, as last amended, of Act No. 403, H. 330, 1971 Regular Session (Acts of 1971, p. 689), entitled "An Act requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor," so as to add Russell County to the list of counties to which the Act shall not apply.

Was taken up.

Mr. Wise offered the following substitute to the bill:

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A BILL
TO BE ENTITLED
AN ACT

To further amend Section 18, as last amended, of Act No. 403, H. 330, 1971 Regular Session (Acts 1971, p. 689), entitled "An Act requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor," so as to add Russell, Tallapoosa, Talladega, Mobile, Covington, Butler, Geneva and Lowndes Counties to the list of counties to which the Act shall not apply.

Be it Enacted by the Legislature of Alabama:

Section 1. Section 18 of Act No. 403, H. 330, 1971 Regular Session (Acts 1971, p. 689), as last amended, is hereby further amended to read as follows:

"Section 18. The provisions of this Act shall not apply to Conecuh, Wilcox, Baldwin, Russell, Tallapoosa, Talladega, Mobile, Covington, Geneva, Butler or Lowndes Counties,"

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 63; Nays 1.

Yeas:

Messrs.:	Cottingham	Kinsey	St. John
Adams	Crawford	Lutz	Smith (K)
Adwell	Crowe	McDonald	Smith (P)
Agee	Downing	Manley	Snell
Barkett	Edwards	May	Stewart
Barron	Ellis	Meeks	Stubbs
Benton	Erdreich	Mims	Therrell
Boles	Grainger	Naramore	Turner
Boutwell	Gray (F)	Nettles	Waggoner
Brassell	Grey (D)	O'Daniel	Waldrop
Callahan	Hardin	Parker	Wallace
Carnes	Headley	Porter	Warren
Casey	Hearn	Pruitt	Weeks
Cauthen	Hughes	Reed (T)	Williams
Chesnut	Jackson	Reid (R)	Wise
Collins	King	Roberts	Wynot

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Nay: Mr. McMillan.

—1

Mr. Hill offered the following substitute to the bill, H. 272 as amended:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 2, 5, 7, and 11 and repeals Section 18 of Act No. 403, H. 330, Regular Session 1971 (Acts 1971, p. 689) which act relates to

requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating a Board of Barber Examiners and prescribing penalties for violation of the act.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 2, 5, 7, and 11 of Act No. 403, H. 330, Regular Session 1971 (Acts 1971, p. 689), is hereby amended to read as follows:

"Section 2. No person shall engage in the practice of barbering without a certificate of registration as a registered barber, issued by the Board of Barber Examiners.

"No person shall serve or attempt to serve as an apprentice under a registered barber without a certificate of registration as a registered apprentice issued by the Board of Barber Examiners.

"No person shall permit any person in his employ or under his supervision or control to practice as a barber or as an apprentice unless the latter person has a certificate of registration as a registered barber or apprentice, issue by the Board of Barber Examiners.

"No person shall operate a barber shop unless it is at all times under the direction supervision and management of a registered barber who is engaged in barbering full time in the same shop.

"No registered apprentice may independently practice barbering, but he may as an apprentice, do any and all of the acts constituting the practice of barbering under the immediate personal supervision of a registered barber, who is engaged in barbering full time in the same shop.

"Students in certified barber colleges may perform acts including the practice of barbering, but only as clinical training and only on persons who have consented thereto after they have been specifically advised in advance that the student is not a registered barber or apprentice, but only a student in training.

"Students in certified barber colleges who have completed a minimum of 800 hours in a barber college approved and registered with the Board of Barber Examiners when determined capable by the Board, may perform acts incidental to or including the practice or barbering, outside of college, but only when under the direct supervision and management of a licensed journeyman barber who is engaged in barbering on a full-time basis in the same shop in which said student is to perform. A health certificate and a student permit will be required. The practice by a student, as herein permitted, will be in addition to the educational requirements of said students for graduation from a barber college.

"The examination of applicants for a license to practice a classified profession as designated under this Act shall be conducted under the rules prescribed by the said Board and shall include both practical demonstrations, written and oral tests in reference to the practices for which a license is applied and such related studies or subjects for which a license is applied and such related studies or subjects as the Board may determine necessary for the proper and efficient performance of such practices.

"Section 5. No person shall be admitted to examination or receive a license to practice barbering under this Act, except as otherwise provided in this Act, unless such person shall possess the following qualifications:

"(1) He shall pay the original licensing fee as hereinafter provided for;

"(2) He is at least 18 years of age;

"(3) He is of good moral character and temperate habits;

"(4) He has practiced as a registered apprentice in Alabama for not less than eighteen (18) months under the immediate supervision of a registered barber; and

"(5) He passes satisfactorily an examination conducted by the Board to determine his fitness to practice barbering. Any applicant for such a certificate of registration who fails to satisfactorily pass an examination conducted by the Board shall have the right to apply again for another examination after a period of six (6) months and he may continue to apply every six (6) months thereafter until he has passed such examination, provided he has practiced as an apprentice during said time.

"No person shall be admitted to examination or receive a license as an apprentice under this Act, except as otherwise provided for in this Act, unless such person shall possess the following qualifications:

"(1) He shall pay the original licensing fee as hereinafter provided for;

"(2) He is at least 17 years of age;

"(3) He is of good moral character and temperate habits;

"(4) He has graduated from a barber college or school of barbering approved by the Board; and

"(5) He passes satisfactorily an examination conducted by the Board to determine his fitness to practice as a registered apprentice.

"Section 6. (A) For the purposes of the Act and the regulations of the Board, each separate location at which the practice of barbering or any part thereof is taught shall be considered to be a barber college, and a separate certificate shall be required for each. However, facilities at which the practice of barbering or any part thereof is taught which are operated or maintained by a college in the same central area as the main establishment of the college shall not be deemed for the purposes of this Act, to be a separate college. No such facility shall be operated or maintained by a college until and unless each has been inspected and approved by the Board in the same manner as is required before a certificate to operate a college may be issued, the fee prescribed by this Act paid and a certificate to operate and maintain the particular facility is issued by the Board.

"In considering whether the establishment of a new barber college in a particular area will be detrimental to the public welfare, the Board shall consider the need for barber college facilities or additional barber college facilities, as the case may be, in the community where the proposed barber college is to be located, giving particular consideration to:

"(1) The economic character of the community.

"(2) The adequacy of existing barber shops and barber colleges in that community.

"(3) The ability of the community to support the proposed barber college.

"(4) The character of adjacent communities and the extent to which the establishment of the proposed barber college would draw patrons from such adjacent communities.

"(5) The social and economic effect of the establishment of a barber college on the community where it is proposed to be located and on the adjacent communities.

"(6) The expressed opinion of the registered barbers in the area of the proposed college, as evidenced in person or by writtin petition to the Board.

"No barber college shall be approved by the Board unless it requires as a prerequisite to graduation a course or instruction of not less than 1400 hours. The Board shall approve all hours of instruction given by any of the state educational institutions and schools.

"The course of instruction shall include the following subjects: Scientific fundamentals of barbering, hygiene, bacteriology; history of the head, face and neck; elementary chemistry as it relates to sterilization and asepsis; diseases of the skin, hair glands; and the massaging and manipulation of the muscles of the body above the seventh cervical vertebra, hair cutting and shaving; and the arranging, dressing, coloring, bleaching and tinting of the hair.

"(B) No person shall act as demonstrator or teacher of any technique of cutting or styling of hair unless he has a current and valid license issued by the Board.

"The Board shall issue a demonstrator's license to a person who complies with the following qualifications:

"(1) He shall pay the annual licensing fee as hereinafter provided for;

"(2) He is at least 18 years of age;

"(3) He is of good moral character and temperate habits;

"(4) He has been a resident of the state of Alabama for a period of at least 6 months;

"(5) He passes satisfactorily an examination conducted by the Board to determine his qualifications to demonstrate or teach the techniques of cutting or styling of hair.

"A person who holds a current and valid demonstrator's license is authorized to instruct or demonstrate techniques of cutting or styling of hair at any place within the state of Alabama to any licensed barber or apprentice barber.

"Except the provisions of this Act shall not apply to any person, resident or non-resident, who at the written invitation of a barber licensed under this Section; subsection B, above shall demonstrate or teach any technique of cutting or styling hair.

"Section 11. The various fees to be paid by the applicants for original registration, original license, annual renewals and examinations as required under this Act shall be as follows:

"(1) For an examination to determine the qualification of an applicant, \$10.00.

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"(2) For an examination to determine the qualifications of an applicant from another state, \$25.00.

"(3) For an examination to determine the qualifications of an applicant to receive a certificate of registration as an instructor or assistant instructor, \$30.00.

"(4) For the issuance of the initial certificate to operate a barber college, \$200.00.

"(5) For each annual renewal of a barber's or apprentice's certificate, \$10.00.

"(6) For each annual renewal of an instructor's or assistant instructor's certificate, \$20.00.

"(7) For each annual renewal of a certificate to operate a barber college, \$100.00.

"(8) For the restoration of any expired certificate except for a barber college, \$10.00.

"(9) For the restoration of an expired certificate for a barber college, \$50.00.

"(10) For annual license for Barber Shop operated by one barber, \$5.00; and \$5.00 additional fee for each additional barber or apprentice in such shop.

"(11) For annual demonstrator's license fee, \$25.00.

"(12) For the issuance of a student permit, \$5.00.

"(13) For the issuance of any duplicate certificate, \$1.00."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 25; Nays 5.

Yeas:

Messrs.:	Easters	Lutz	Snell
Adams	Flippo	McBride	Taylor
Barkett	Gafford	McDonald	Waldrop
Barron	Grainger	Meeks	Warren
Carter	Hale	Mims	Wood
Connell	Hill	St. John	Wynot
Cross	King		

—25

Nays:

Messrs.:	Carnes	Smith (K)	Therrell
Brassell	Crawford		

—5

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

Mr. Callahan offered the following amendment to the bill, H. 272 as amended:

Amend H. 272 as follows:

Section 18 of Act No. 403, H. 330, 1971 Regular Session (Acts 1971, p. 689), as last amended, is hereby further amended to read as follows:

"Section 18. The provisions of this Act shall not apply to Conecuh, Wilcox, Baldwin, Russell, Tallapoosa, Lowndes, Talladega or Mobile Counties."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the amendment was adopted.

Yeas 37; Nays 8.

Yeas:

Messrs.:	Cottingham	Lutz	Stokes
Barron	Cross	McBride	Taylor
Benton	Downing	May	Therrell
Brassell	Easters	Meeks	Waldrop
Callahan	Goodwin	Mims	Warren
Carnes	Grainger	Naramore	Williams
Carter	Hale	Nettles	Wise
Chesnut	Jackson	Smith (K)	Wood
Collins	King	Smith (P)	Wynot
Connell	Kinsey		

—37

Nays:

Messrs.:	Gafford	Hobbie	McNair
Adams	Hill	McMillan	St. John
Fite			

—8

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

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H. 1007. To authorize and regulate collection agencies, to define collection agencies, to prescribe the duties thereof, to describe the duties of the Attorney General in the connection therewith, to fix bonds for the operation thereof, and to set methods of operating in Alabama.

TOM DRAKE,
Chairman.

H. 272 RESUMED

H. 272 TEMPORARILY POSTPONED

On motion of Mr. Callahan, the bill, H. 272 as amended, was temporarily postponed.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Barkett, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1032.

And the bill:

H. 1032. To amend Section 106 of Title 8, Code of Alabama 1940, as amended, pertaining to the penalty for killing domestic animals while hunting.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Messrs.:	Cottingham	Hobbie	Reynolds
Adams	Crawford	Hughes	St. John
Adwell	Cross	Jackson	Smith (K)
Agee	Drake	Jones (F)	Smith (P)
Barkett	Easters	King	Snell
Barron	Edwards	Lutz	Stewart
Benton	Ellis	McBride	Taylor
Boles	Erdreich	McDonald	Therrell
Boutwell	Flippo	McMillan	Turner
Brassell	Gafford	McNair	Turnham
Carnes	Goodwin	May	Waldrop
Carter	Grainger	Meeks	Warren
Casey	Grey (D)	Mims	Weeks
Cauthen	Hale	Naramore	Williams
Chesnut	Hardin	O'Daniel	Wise
Collins	Hearn	Porter	Wood
Connell	Hill	Reid (R)	Wynot
Coshatt			

—68

RULE SUSPENDED

On motion of Mr. Barkett, Rule 4(4) was suspended to permit the bill, H. 1032, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1032, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Meeks, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar the third reading of the bill, H. 643.

And the bill:

H. 643. To exempt the Birmingham Children's Theatre, an Alabama Corporation, from the payment of all state, county and municipal sales and use taxes.

Was taken up.

Mr. Meeks offered the following amendment to the bill:

Amend the Title of H. B. 643 by inserting immediately after the word "Corporation," the following:

"and the Alabama Society of the Daughters of the American Revolution".

Further amend Section 1 of said H. B. 643 by inserting immediately after the word "Corporation," the following:

"and the Alabama Society of the Daughters of the American Revolution".

And the amendment was adopted.

Yeas 62; Nays 0.

Yeas:

Messrs.:	Crawford	Jackson	Roberts
Adams	Cross	King	St. John
Adwell	Downing	Kinsey	Smith (K)
Agee	Drake	Lutz	Smith (P)
Barkett	Easters	McCluskey	Snell
Barron	Ellis	McDonald	Stewart
Benton	Flippo	Manley	Stubbs
Boles	Gafford	May	Taylor
Boutwell	Goodwin	Meeks	Turner
Brassell	Grey (D)	Mims	Waldrop
Carnes	Hale	Nettles	Wallace
Carter	Hardin	Owens	Warren
Chesnut	Headley	Porter	Weeks
Collins	Hearn	Pruitt	Williams
Connell	Hill	Reid (R)	Wood
Cottingham	Hughes	Reynolds	

—62

And the bill:

H. 643. To exempt the Birmingham Children's Theatre, an Alabama Corporation, and the Alabama Society of the Daughters of the American Revolution from the payment of all state, county and municipal sales and use taxes.

As thus amended, was read a third time at length and passed.

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Yeas 63; Nays 0.

Yeas:

Messrs.:	Crawford	Hill	Roberts
Adams	Cross	Hughes	St. John
Adwell	Downing	Jackson	Smith (K)
Agee	Drake	King	Smith (P)
Barkett	Easters	Lutz	Snell
Barron	Ellis	McCluskey	Stewart
Benton	Erdreich	McDonald	Stubbs
Boles	Flippo	McMillan	Taylor
Boutwell	Gafford	Manley	Turner
Brassell	Goodwin	May	Waggoner
Carnes	Grainger	Meeks	Waldrop
Carter	Grey (D)	Mims	Wallace
Chesnut	Hale	Owens	Warren
Collins	Hardin	Porter	Weeks
Connell	Headley	Pruitt	Williams
Cottingham	Hearn	Reynolds	Wood

—63

RULE SUSPENDED

On motion of Mr. Meeks, Rule 4(4) was suspended to permit the bill, H. 643, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 643, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Carnes, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar, the third reading of the bill, H. 16.

Yeas 46; Nays 4.

Yeas:

Messrs.:	Cottingham	Headley	Reynolds
Adams	Crowe	Hill	Roberts
Adwell	Downing	Hobbie	Smith (K)
Agee	Easters	Jackson	Smith (P)
Bassett	Ellis	Kinsey	Snell
Boles	Erdreich	Lutz	Stewart
Boutwell	Flippo	McBride	Stubbs
Brassell	Gafford	McMillan	Turner
Carnes	Goodwin	Merrill	Waldrop
Casey	Grainger	Mims	Williams
Chesnut	Gray (F)	Porter	Wood
Connell	Hale	Reid (R)	

—46

Nays:

Messrs.:	Manley	Nettles	Taylor
Benton			

—4

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 16. (With Amendment): To amend Code of Alabama, Title 52, Section 142, so as to provide that no fees of any kind shall be collected from children attending any school under the supervision or control of any county or city board of education.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend Section 1 of House Bill 16 to read as follows:

"Section 1. Code of Alabama, Title 52, Section 142, is hereby amended to read as follows:

Section 142. Incidental fees in public schools. No mandatory fees of any kind shall be collected from children attending any school under the supervision or control of any county or city board of education; provided, however, that any county or city board of education shall be authorized to permit any school subject to its supervision to solicit and receive voluntary fees and contributions to be used for school purposes by the school where such children are attending."

And the amendment was adopted.

Yeas 60; Nays 1.

Yeas:

Messrs.:	Downing	King	St. John
Adams	Drake	Lutz	Smith (K)
Adwell	Easters	McBride	Smith (P)
Barkett	Ellis	McCluskey	Snell
Barron	Erdreich	McDonald	Stewart
Boles	Flipppo	McMillan	Stubbs
Boutwell	Gafford	Manley	Taylor
Brassell	Goodwin	Meeks	Therrell
Carnes	Grainger	Mims	Turner
Casey	Gray (F)	Nettles	Waggoner
Chesnut	Grey (D)	O'Daniel	Waldrop
Collins	Hale	Porter	Warren
Connell	Hardin	Reid (R)	Weeks
Cottingham	Headley	Reynolds	Williams
Cross	Jackson	Roberts	Wood
Crowe			

—60

Nay: Mr. Benton.

—1

Mr. Carnes offered the following amendment to the bill, H. 16 as amended:

Amend the short title of H. B. 16 by striking the words "of any kind" where same appear therein and by adding the word "mandatory" immediately after the word "no".

And the amendment was adopted.

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Yeas 62; Nays 0.

Yeas:

Messrs.:	Crawford	Headley	Smith (K)
Adams	Cross	Hill	Smith (P)
Agee	Crowe	King	Snell
Barkett	Downing	Lutz	Stewart
Barron	Drake	McBride	Stubbs
Boles	Easters	McCluskey	Taylor
Boutwell	Ellis	McDonald	Therrell
Brassell	Erdreich	McMillan	Turner
Carnes	Flippo	Mims	Waggoner
Carter	Gafford	Nettles	Waldrop
Casey	Goodwin	O'Daniel	Wallace
Chesnut	Grainger	Porter	Warren
Collins	Gray (F)	Reid (R)	Weeks
Connell	Grey (D)	Reynolds	Williams
Coshatt	Hale	Roberts	Wood
Cottingham	Hardin	St. John	

—62

And the bill, H. 16:

To amend Code of Alabama, Title 52, Section 142, so as to provide that no mandatory fees shall be collected from children attending any school under the supervision or control of any county or city board of education.

As thus amended, was read a third time at length and passed.

Yeas 62; Nays 4.

Yeas:

Messrs.:	Cottingham	Hill	Smith (K)
Adams	Crawford	Hughes	Smith (P)
Agee	Crowe	Jackson	Snell
Barkett	Downing	King	Stewart
Barron	Drake	Lutz	Stubbs
Boles	Easters	McBride	Taylor
Boutwell	Ellis	McMillan	Therrell
Brassell	Erdreich	Mathews	Turner
Burgess	Flippo	Merrill	Waggoner
Carnes	Gafford	Mims	Waldrop
Carter	Goodwin	O'Daniel	Wallace
Casey	Grainger	Porter	Warren
Chesnut	Gray (F)	Reid (R)	Weeks
Collins	Grey (D)	Reynolds	Williams
Connell	Hardin	Roberts	Wood
Coshatt	Headley	Robertson	

—62

Yeas:

Messrs.:	McDonald	Nettles	St. John
Benton			

—4

RULE SUSPENDED

On motion of Mr. Carnes, Rule 4(4) was suspended to permit the bill, H. 16, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 16, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Carnes, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar, the third reading of the bill, H. 15.

Yeas 51; Nays 6.

Yeas:

Messrs.:	Crawford	Hardin	Robertson
Adams	Cross	Headley	Smith (K)
Agee	Downing	Hill	Smith (P)
Boles	Drake	Jackson	Snell
Boutwell	Ellis	King	Stewart
Brassell	Erdreich	Lutz	Stubbs
Carnes	Flippo	McBride	Turner
Carter	Gafford	McMillan	Waggoner
Casey	Goodwin	Mathews	Waldrop
Chesnut	Grainger	O'Daniel	Warren
Connell	Gray (F)	Porter	Weeks
Coshatt	Grey (D)	Reid (R)	Williams
Cottingham	Hale	Roberts	Wood

—51

Nays:

Messrs.:	McDonald	Nettles	Taylor
Benton	Manley	St. John	

—6

And the bill:

H. 15. To repeal Code of Alabama, Title 52, Section 437, which permits matriculation fees in high schools, as well as library, laboratory and shop work fees.

Was read a third time at length and passed.

Yeas 58; Nays 5.

Yeas:

Messrs.:	Cottingham	Jackson	Smith (P)
Adams	Crawford	King	Snell
Adwell	Downing	Lutz	Stewart
Agee	Drake	McBride	Stubbs
Barkett	Easters	McMillan	Taylor
Barron	Ellis	Mathews	Therrell
Boles	Erdreich	Mims	Turner
Boutwell	Flippo	O'Daniel	Waggoner
Brassell	Gafford	Porter	Waldrop
Carnes	Goodwin	Pruitt	Wallace
Carter	Grainger	Reid (R)	Warren
Casey	Gray (F)	Reynolds	Weeks
Chesnut	Grey (D)	Roberts	Williams
Connell	Hardin	Robertson	Wood
Coshatt	Headley	Smith (K)	

—58

Nays:

Messrs.:	McDonald	Nettles	St. John
Benton	Manley		

—5

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UNANIMOUS CONSENT GRANTED

At the request of Mr. Waldrop, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 15.

RULE SUSPENDED

On motion of Mr. Carnes, Rule 4(4) was suspended to permit the bill, H. 15, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 15, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Stewart, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar the third reading of the bill, H. 621.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson	Robertson
Agee	Cross	King	St. John
Bank	Doss	Lutz	Smith (K)
Barkett	Downing	McBride	Smith (P)
Barron	Drake	McDonald	Stubbs
Boles	Erdreich	McMillan	Taylor
Boutwell	Flippo	Mathews	Therrell
Brassell	Gafford	May	Turner
Carnes	Goodwin	Mims	Waggoner
Carter	Grainger	Nettles	Waldrop
Casey	Gray (F)	Porter	Warren
Chesnut	Grey (D)	Reid (R)	Weeks
Connell	Hale	Reynolds	Williams
Coshatt	Hardin	Roberts	Wood
Cottingham	Hill		

—58

And the bill:

H. 621. To amend Section 1 of Act No. 359, H. 150, Regular Session 1951 (Acts 1951, p. 646); to provide for the issuance of special license tags to owners of private or pleasure motor vehicles who hold citizen's band radio licenses issued by the Federal Communications Commission.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Carnes	Doss	Grainger
Adwell	Carter	Downing	Gray (F)
Bank	Casey	Drake	Grey (D)
Barkett	Chesnut	Easters	Hardin
Barron	Connell	Ellis	Hill
Boles	Coshatt	Erdreich	Jackson
Boutwell	Cottingham	Flippo	King
Brassell	Crawford	Gafford	Lutz
Burgess	Cross	Goodwin	McBride

McDonald	Nettles	Smith (P)	Waldrop
McMillan	Owens	Stewart	Wallace
Manley	Reid (R)	Stubbs	Warren
Mathews	Reynolds	Taylor	Weeks
May	Roberts	Therrell	Williams
Merrill	St. John	Turner	Wood
Mims	Smith (K)	Waggoner	

—63

RULE SUSPENDED

On motion of Mr. Stewart, Rule 4(4) was suspended to permit the bill, H. 621, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 621, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Mims, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar, the third reading of the bill, H. 709.

And the bill:

H. 709. To amend Section 1 of Act No. 1981, H. 732, Regular Session 1971, (Acts 1971, v. IV, p. 3224), which act establishes the Alabama Peace Officers Standards and Training Commission, so as to include the Alabama Board of Corrections within the meaning of a "law enforcement agency" and a "law enforcement officer."

Was read a third time at length and passed.

Yeas 60; Nays 1.

Yeas:

Messrs.:	Cross	Hobbie	St. John
Adwell	Downing	King	Smith (K)
Bank	Drake	Kinsey	Smith (P)
Barkett	Easters	Lutz	Stewart
Barron	Ellis	McBride	Stubbs
Boles	Erdreich	McDonald	Taylor
Boutwell	Flippo	McMillan	Therrell
Brassell	Gafford	Mathews	Turner
Carnes	Goodwin	May	Waggoner
Carter	Grainger	Mims	Waldrop
Casey	Gray (F)	Nettles	Wallace
Chesnut	Grey (D)	O'Daniel	Warren
Connell	Hardin	Porter	Weeks
Coshatt	Headley	Roberts	Wood
Cottingham	Hill	Robertson	Wynot
Crawford			

—60

Nay: Mr. Reynolds.

—1

RULE SUSPENDED

On motion of Mr. Mims, Rule 4(4) was suspended to permit the bill, H. 709, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 709, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Waggoner, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1645.

And the bill:

H. 1645. To authorize the Alabama Board of Nursing to grant from its contingency fund \$50,000 per year for each fiscal year ending in September of 1974 and 1975 to qualified agencies, individuals or institutions to promote voluntary continuing education for registered nurses and Licensed Practical Nurses.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Messrs.:	Cross	Hearn	Roberts
Adwell	Doss	Hill	Robertson
Bank	Downing	Hobbie	St. John
Barkett	Drake	Jackson	Smith (K)
Barron	Easters	King	Smith (P)
Boles	Edwards	Kinsey	Snell
Boutwell	Ellis	Lutz	Stewart
Brassell	Erdreich	McBride	Stubbs
Callahan	Falkenburg	McCluskey	Therrell
Carnes	Flippo	McDonald	Turner
Carter	Gafford	McMillan	Waggoner
Casey	Goodwin	Mathews	Waldrop
Chesnut	Grainger	May	Wallace
Connell	Gray (F)	Merrill	Weeks
Coshatt	Grey (D)	O'Daniel	Williams
Cottingham	Hardin	Parker	Wood
Crawford	Headley	Porter	Wynot

—67

RULE SUSPENDED

On motion of Mr. Waggoner, Rule 4(4) was suspended to permit the bill, H. 1645, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1645, was ordered sent forthwith to the Senate without engrossment.

H. 1463 RECONSIDERED

Having voted on the prevailing side, Mr. Reid (R) moved to reconsider the vote by which the House failed to pass the bill, H. 1463, over the Governor's objection, lacking a majority of the whole number elected to the House, and the motion was adopted.

Yeas 55; Nays 6.

Yeas:

Messrs.:	Barkett	Brassell	Carter
Adwell	Boles	Callahan	Casey
Bank	Boutwell	Carnes	Cauthen

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Coshatt	Headley	May	Stokes
Culver	Hearn	Nettles	Stubbs
Downing	Hill	O'Daniel	Taylor
Erdreich	Hobbie	Parker	Therrell
Falkenburg	Jones (F)	Porter	Timmons
Flippo	King	Pruitt	Turner
Gafford	Lutz	Reed (T)	Waggoner
Grainger	McBride	Roberts	Waldrop
Gray (F)	McDonald	St. John	Weeks
Hale	McMillan	Snell	Wood
Hardin	Manley	Stewart	Wynot

—55

Nays:

Messrs.:	Chesnut	Jackson	Warren
Barron	Cottingham	McCluskey	

—6

The House then proceeded to reconsider the bill:

H. 1463. Relating to counties having populations of not less than 150,000 nor more than 180,000; to allow all Alabama Beverage Control Board licensees to sell wines containing not more than fourteen percent alcohol by volume from bulk containers; and prescribing penalties.

On motion of Mr. Jones (F), the bill, H. 1463, was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 56; Nays 12.

Yeas:

Messrs.:	Culver	Lang	St. John
Adwell	Downing	Lutz	Smith (K)
Bank	Erdreich	McBride	Snell
Barkett	Falkenburg	McDonald	Stewart
Boles	Flippo	McMillan	Stokes
Boutwell	Grainger	McNair	Stubbs
Brassell	Gray (F)	Manley	Taylor
Callahan	Hale	May	Timmons
Carnes	Hardin	Nettles	Turner
Carter	Hearn	Parker	Waggoner
Cauthen	Hill	Porter	Waldrop
Chesnut	Hobbie	Pruitt	Weeks
Collins	Jones (F)	Reed (T)	Wood
Coshatt	King	Roberts	Wynot
Cross			

—56

Nays:

Mr. Speaker	Cottingham	Headley	Reid (R)
Barron	Crawford	Jackson	Reynolds
Burgess	Drake	Mims	Warren

—12

Which was a majority of the whole number elected to the House.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Snell, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 410.

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And the bill:

H. 410. To amend Section 115, of Title 12 Code of Alabama, 1940.

Was read a third time at length and passed.

Yeas 50; Nays 1.

Yeas:

Messrs.:	Cross	King	Roberts
Adwell	Culver	Lang	St. John
Bank	Downing	Lutz	Smith (K)
Boles	Ellis	McBride	Snell
Boutwell	Erdreich	McDonald	Stokes
Brassell	Flippo	McMillan	Taylor
Carnes	Gafford	McNair	Turner
Carter	Goodwin	Merrill	Waldrop
Chesnut	Grainger	Nettles	Wallace
Collins	Hale	O'Daniel	Warren
Connell	Hardin	Parker	Weeks
Cottingham	Hill	Porter	Williams
Crawford	Jackson	Reynolds	—50

Nay: Mr. Barron.

—1

RULE SUSPENDED

On motion of Mr. Snell, Rule 4(4) was suspended to permit the bill, H. 410, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 410, was ordered sent forthwith to the Senate without engrossment.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 254. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Wednesday, September 5, 1973, and that when they adjourn on Wednesday, September 5, 1973, they adjourn to meet again on Friday, September 7, 1973, and that when they adjourn on Friday, September 7, 1973, they adjourn Sine Die.

MOTION TO SUSPEND RULES LOST

The motion of Mr. McCorquodale to suspend the rules in order to bring up for immediate consideration the resolution, H. J. R. 254, was lost, lacking a four-fifths vote.

Yeas 34; Nays 28.

Yeas:

Mr. Speaker	Edwards	Mathews	Snell
Barron	Fite	Merrill	Stewart
Brassell	Gafford	Mims	Stokes
Carnes	Grainger	Owens	Stubbs
Casey	Headley	Parker	Turner
Collins	Hobbie	Roberts	Warren
Connell	Jackson	Smith (K)	Williams
Crawford	Lang	Smith (P)	Wood
Culver	Lutz		

—34

Nays:

Messrs.:	Downing	McCluskey	Reid (R)
Adwell	Ellis	McDonald	St. John
Boles	Erdreich	McMillan	Taylor
Boutwell	Falkenburg	McNair	Timmons
Burgess	Flippo	Manley	Waldrop
Chesnut	Hill	Nettles	Wallace
Coshatt	King	Pruitt	Wynot
Cross			

—28

And the resolution, H. J. R. 254, was read and referred to the Standing Committee on Rules.

H. 272 RESUMED

And the bill, H. 272 as amended, having been temporarily postponed, was again **taken up**.

Mr. Callahan offered the following amendment #2 to the bill, H. 272 as amended:

Strike Section 18, as substituted and amended, and insert the following:

"Section 18. The provisions of this Act shall not apply to Conecuh, Wilcox, Baldwin, Russell, Tallapoosa, Autauga, Talladega, Mobile, Covington, Geneva, Butler or Lowndes Counties."

And the amendment was adopted.

Yeas 36; Nays 4.

Yeas:

Messrs.:	Collins	Hale	Porter
Agee	Coshatt	Hardin	Smith (K)
Barkett	Cottingham	Jackson	Snell
Barron	Cross	King	Stokes
Boutwell	Drake	Lang	Turner
Brassell	Edwards	Lutz	Weeks
Callahan	Ellis	May	Williams
Carnes	Goodwin	Nettles	Wise
Carter	Grainger	O'Daniel	Wynot
Chesnut			

—36

Nays:

Messrs.:	Hill	McMillan	McNair
Flippo			

—4

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4949

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 272:

To amend Sections 2, 5, 7, and 11 and repeals Section 18 of Act No. 403, H. 330, Regular Session 1971 (Acts 1971, p. 689) which act relates to requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating a Board of Barber Examiners and prescribing penalties for violation of the act.

As thus amended, was read at third time at length and passed.

Yeas 48; Nays 2.

Yeas:

Messrs.:	Cross	Hobbie	St. John
Agee	Culver	Jackson	Smith (K)
Bank	Downing	King	Smith (P)
Barron	Edwards	Kinsey	Snell
Benton	Ellis	Lang	Stokes
Boles	Erdreich	Lutz	Stubbs
Boutwell	Flippo	Mathews	Waldrop
Brassell	Goodwin	May	Wallace
Burgess	Grainger	O'Daniel	Weeks
Carnes	Hale	Porter	Williams
Carter	Hardin	Reynolds	Wise
Chesnut	Hill	Roberts	Wynot
Collins			—48

Nays: Messrs. McMillan and McNair.

—2

RULE SUSPENDED

On motion of Mr. Wise, Rule 4(4) was suspended to permit the bill, H. 272, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 272, was ordered sent forthwith to the Senate without engrossment.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Stubbs, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1890.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker	Barron	Callahan	Casey
Adwell	Boles	Carnes	Chesnut
Barkett	Boutwell	Carter	Collins

Crawford	Grainger	Lang	Snell
Cross	Hale	Lutz	Stokes
Culver	Hardin	McDonald	Taylor
Downing	Hill	May	Turner
Easters	Hobbie	Porter	Waldrop
Edwards	Jackson	St. John	Weeks
Erdreich	King	Smith (K)	Williams
Flippo	Kinsey	Smith (P)	Wynot
Goodwin			

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1890. To create the Alabama Science & Technology Commission; to provide for the members thereof and to provide for terms, compensation, duties and powers thereof; and to appropriate funds.

Was read a third time at length and passed.

Yeas 46; Nays 0.

Yeas:

Messrs.:	Cross	Hill	St. John
Adwell	Culver	Hobbie	Smith (K)
Barkett	Downing	Jackson	Smith (P)
Barron	Easters	King	Snell
Boutwell	Edwards	Kinsey	Stewart
Brassell	Ellis	Lang	Stokes
Callahan	Erdreich	Lutz	Taylor
Carnes	Flippo	McCluskey	Waldrop
Carter	Goodwin	Manley	Weeks
Casey	Grainger	May	Williams
Chesnut	Hale	Porter	Wynot
Collins	Hardin	Roberts	

—46

RULE SUSPENDED

On motion of Mr. Stubbs, Rule 4(4) was suspended to permit the bill, H. 1890, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1890, was ordered sent forthwith to the Senate without engrossment.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

UNANIMOUS CONSENT GRANTED

At the request of Mrs. Wynot, unanimous consent was granted for the Journal to show her voting "Yea" on the bills, H. 15 and H. 16.

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4951

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Ellis, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 12.

And the bill:

H. 12. To provide tuition grants to any full time law enforcement officer of the state, municipality or county who attends any state supported college in this state which offers courses toward a Bachelor's Degree in Law Enforcement so as to allow eligible officers to take such courses free of tuition charges.

Was read a third time at length and passed.

Yeas 54; Nays 0.

Yeas:

Messrs.:	Culver	Jackson	St. John
Adwell	Doss	King	Smith (K)
Barkett	Downing	Kinsey	Smith (P)
Barron	Easters	Lang	Stokes
Boles	Edwards	Lutz	Stubbs
Boutwell	Ellis	McBride	Taylor
Brassell	Erdreich	McMillan	Therrell
Callahan	Flippo	Manley	Turner
Carnes	<u>Goodwin</u>	May	Waldrop
Carter	Grainger	Merrill	Wallace
Casey	Hardin	Owens	Weeks
Chesnut	Headley	Parker	Wise
Collins	Hill	Porter	Wynot
Cross	Hobbie	Roberts	

—54

RULE SUSPENDED

On motion of Mr. Ellis, Rule 4(4) was suspended to permit the bill, H. 12, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 12, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. King, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1281.

And the bill:

H. 1281. (With Amendment): To establish in the Alabama State Board of Health a program for the care of persons suffering from chronic renal diseases, designating powers and duties in relation thereto, and making an appropriation therefor.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

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Amend House Bill 1281 by changing the period at the end of Section 4 to a comma and adding the following:

"conditional upon the condition of the treasury and the approval of the Governor."

And the amendment was adopted.

Yeas 56; Nays 0.

Yeas:

Messrs.:	Cross	Jackson	Porter
Agee	Culver	King	Roberts
Barkett	Downing	Kinsey	St. John
Barron	Easters	Lang	Smith (K)
Boutwell	Edwards	Lutz	Smith (P)
Brassell	Fite	McBride	Stewart
Callahan	Flippo	McDonald	Stokes
Carnes	Goodwin	McMillan	Stubbs
Carter	Grainger	McNair	Therrell
Casey	Hale	Manley	Turner
Cauthen	Hardin	Mathews	Wallace
Chesnut	Headley	May	Weeks
Collins	Hill	Meeks	Williams
Coshatt	Hobbie	Parker	Wynot
Crawford			

—56

And the bill, H. 1281 as thus amended, was read a third time at length and passed.

Yeas 53; Nays 0.

Yeas:

Messrs.:	Downing	Kinsey	Roberts
Agee	Drake	Lang	St. John
Barkett	Easters	Lutz	Smith (K)
Barron	Edwards	McBride	Smith (P)
Boutwell	Erdreich	McDonald	Stewart
Brassell	Flippo	McMillan	Stokes
Callahan	Gafford	McNair	Stubbs
Carnes	Goodwin	Manley	Therrell
Carter	Grainger	Mathews	Turner
Cauthen	Hale	May	Wallace
Chesnut	Hardin	Parker	Weeks
Collins	Hill	Porter	Williams
Cross	Hobbie	Reid (R)	Wynot
Culver	Jackson		

—53

RULE SUSPENDED

On motion of Mr. King, Rule 4(4) was suspended to permit the bill, H. 1281, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1281, was ordered sent forthwith to the Senate without engrossment.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Reed (T), the rules were suspended in order to take up for immediate consideration from the Special Order Calendar the third reading of the bill, H. 113.

And the bill:

H. 113. (With Substitute): To amend Sections 1 and 4 of Act No. 590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1 and 4 of Act No. 590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 1 of Act No. 590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, as amended, be, and the same is hereby further amended to read as follows:

"Section 1. There shall be awarded each year thirty scholarships to Tuskegee Institute School of Nursing for nursing education. These scholarships shall be awarded to applicants from the State-at-Large. They shall be distributed, insofar as practicable, throughout the state and may be distributed to students in any year of study in said school of nursing."

Section 2. That Section 4 of Act No. 590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, as amended, be, and the same is hereby further amended to read as follows:

"Section 4. There is hereby appropriated for the fiscal years ending September 30, 1974, and ending September 30, 1975, to the Tuskegee Institute School of Nursing, out of any funds in the state treasury to the credit of the Alabama Special Educational Trust Fund, the sum of Twenty Thousand Dollars (20,000.00) to be used solely for paying scholarships provided for by this Act. Any funds remaining unexpended from the appropriation on September 30, 1974, shall not revert or lapse, but shall be available for expenditure during the fiscal year ending September 30, 1975; provided, however, any funds remaining unexpended from this appropriation from either year shall revert on September 30, 1975, to the fund from which the appropriation is made. The appropriations provided for in this section are in addition to any appropriations heretofore made to Tuskegee Institute for the said fiscal years."

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 57; Nays 0.

Yeas:

Messrs.:	Culver	King	Roberts
Barkett	Downing	Kinsey	St. John
Boutwell	Drake	Lang	Smith (K)
Brassell	Easters	McBride	Smith (P)
Callahan	Edwards	McCluskey	Stewart
Carnes	Erdreich	McMillan	Stokes
Carter	Fite	McNair	Stubbs
Casey	Gafford	Manley	Taylor
Cauthen	Goodwin	Mathews	Therrell
Chesnut	Gray (F)	May	Turner
Collins	Hale	Merrill	Wallace
Coshatt	Hardin	Nettles	Weeks
Cottingham	Headley	Parker	Williams
Crawford	Hill	Porter	Wynot
Cross	Hobbie		

—57

And the bill, H. 113 as thus amended, was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Messrs.:	Culver	Lutz	Roberts
Adams	Downing	McBride	St. John
Adwell	Drake	McCluskey	Smith (K)
Bank	Easters	McCorquodale	Smith (P)
Barkett	Edwards	McDonald	Snell
Barron	Erdreich	McMillan	Stewart
Benton	Fite	McNair	Stokes
Boutwell	Flipppo	Manley	Stubbs
Brassell	Gafford	Mathews	Taylor
Callahan	Goodwin	May	Therrell
Carnes	Grainger	Merrill	Timmons
Carter	Gray (F)	Mims	Turner
Casey	Hale	Nettles	Waggoner
Cauthen	Hardin	O'Daniel	Waldrop
Chesnut	Headley	Porter	Wallace
Collins	Hill	Pruitt	Warren
Coshatt	Hobbie	Reed (T)	Weeks
Cottingham	King	Reid (R)	Williams
Crawford	Kinsey	Reynolds	Wynot
Cross	Lang		

—77

RULE SUSPENDED

On motion of Mr. Reed (T), Rule 4(4) was suspended to permit the bill, H. 113, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 113, was ordered sent forthwith to the Senate without engrossment.

RESOLUTION

The following resolution was introduced:

By Messrs. Cottingham and Turner:

H. J. R. 255. COMMENDING GEORGE M. CALLEN OF SELMA UPON THE CELEBRATION OF HIS 100TH BIRTHDAY.

WHEREAS, George M. Callen was born on September 21, 1873, in Dallas County and will soon celebrate his 100th birthday; and

WHEREAS, George M. Callen had to quit school at the age of fourteen to go to work. He entered the farm seed business for himself in 1892 at the age of nineteen, a business that is still thriving today; and

WHEREAS, George M. Callen is the father of four children: the late Francis Callen, the oldest and a former teacher for whom the library at Ramsey High in Birmingham is named, Elizabeth Callen, also a teacher, George M. Callen, Jr. and Russell Callen; and

WHEREAS, although George M. Callen had so little formal schooling, he is particularly proud that all his children are college graduates; and

WHEREAS, George M. Callen has three grandchildren: Russell Callen, Jr., a professor at Georgia Tech, George M. Callen III, a student at the University of Alabama Law School and John Callen, a student at Georgia Tech; and

WHEREAS, George M. Callen continues to be progressive in his thoughts and ideas continually alert and adaptive to the world around him; and

WHEREAS, George M. Callen remains shrewd in his financial dealings and since the age of 25 has been and continues to be involved in "playing" the stock market; and

WHEREAS, George M. Callen has always taken a genuine interest in his native Dallas County and the State of Alabama; and

WHEREAS, the joy that George M. Callen continues to draw from his life and the humor that he retains serves as an example to all; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body does send sincere best wishes to George M. Callen on the celebration of his 100th birthday and does wish him many happy returns.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to George M. Callen at 506 Union Street in Selma where he resides with his daughter Elizabeth.

On motion of Mr. Cottingham, the rules were suspended and the resolution, H. J. R. 255, was adopted.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Taylor, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 422.

Yeas 56; Nays 0.

Yeas:

Messrs.:	Culver	Kinsey	Pruitt
Adams	Downing	Lutz	Reynolds
Bank	Easters	McBride	Roberts
Barkett	Edwards	McCluskey	St. John
Boutwell	Erdreich	McCorquodale	Smith (K)
Brassell	Flippo	McDonald	Smith (P)
Carnes	Gafford	McMillan	Snell
Carter	Goodwin	McNair	Taylor
Casey	Grainger	Manley	Therrell
Cauthen	Gray (F)	Mathews	Turner
Chesnut	Hale	May	Waldrop
Collins	Hill	Nettles	Wallace
Coshatt	Hobbie	O'Daniel	Weeks
Cottingham	King	Parker	Wynot
Cross			

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And the bill:

H. 422. To provide for the incorporation of Alabama Judicial Building Authority as a public corporation for the purpose of acquiring, financing and leasing facilities designed primarily for use by the appellate courts of the State of Alabama; to provide the procedure for incorporation; to designate the members, directors and officers of the Authority; to provide for the powers of the Authority; to authorize the Authority to acquire, construct, operate and finance facilities designed primarily for use by the appellate court of the State in the City of Montgomery, Alabama; to confer on the Authority the power of eminent domain; to provide for the issuance by the Authority for its corporate purposes of interest bearing bonds not exceeding \$9,000,000 in aggregate principal amount, payable solely out of the revenues of the facilities of the Authority; to provide that such bonds shall constitute negotiable instruments; to provide that bonds issued by the Authority shall not constitute or create a debt of the State; to provide for the refunding, by the issuance of bonds of the Authority, of bonds theretofore issued by it; to provide that bonds issued by the Authority may be secured by a pledge of the revenues from which they are payable, by contracts binding the Authority for the proper applications of its revenues and proceeds of such bonds, and by a non-foreclosable statutory mortgage lien on the facilities out of the revenues from which such bonds are payable; to provide for constructive notice of any such statutory mortgage lien; to provide for the use of proceeds of any bonds issued by the Authority; to provide for the investment, pending the need therefor, of the proceeds from the sale of the bonds of the Authority and any other moneys of the Authority not presently needed; to provide that any bonds issued by the Authority may be used as security for deposits and investment of public funds and fiduciary funds; to exempt the property and income of the Authority, and all bonds issued by it and the income therefrom and conveyances and leases to which the Authority is a party, from all taxation in the State, and to exempt the Authority from payment of certain charges to the judges of probate; to provide that any bonds of the Authority owned by a foreign corporation shall not constitute capital employed in the State for the purpose of determining liability for franchise and similar taxes; to provide that the State Treasurer shall be the treasurer of the Authority and the custodian of its funds; to authorize the conveyance to the Authority of land of the State located in the City of Montgomery; to authorize the lease by

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the Authority of its facilities to the State and to others; to authorize the lease by the State and its agencies of facilities from the Authority; to authorize the publication of notice of any resolution authorizing any bonds, pledges and covenants and to specify a limitation of time thereafter for actions or defenses respecting said bonds, pledges and covenants, and to provide for dissolution of the Authority and conveyance of its assets and properties to the State upon payment of said bonds; and to grant power and provide restrictions incidental to the performance of the foregoing.

Was read a third time at length and passed.

Yeas 58; Nays 0.

Yeas:

Messrs.:	Cross	Kinsey	Porter
Adams	Downing	Lutz	Reynolds
Adwell	Easters	McBride	Roberts
Bank	Edwards	McCluskey	St. John
Barkett	Erdreich	McCorquodale	Smith (K)
Barron	Fite	McDonald	Smith (P)
Brassell	Flippo	McMillan	Snell
Carnes	Gafford	McNair	Stubbs
Carter	Goodwin	Manley	Taylor
Casey	Grainger	Mathews	Therrell
Cauthen	Gray (F)	May	Turner
Chesnut	Hale	Merrill	Waldrop
Collins	Headley	Nettles	Wallace
Coshatt	Hill	O'Daniel	Wynot
Cottingham	Hobbie	Parker	

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RULE SUSPENDED

On motion of Mr. Taylor, Rule 4(4) was suspended to permit the bill, H. 422, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 422, was ordered sent forthwith to the Senate without engrossment.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1132. To provide a method by which an insurance company incorporated under the laws of this State may, by resolution of its board of directors, apply any part or all of its capital surplus to the elimination or reduction of any deficit, however incurred.

Also:

H. 1023. To further identify creditable years of service under the Employees' Retirement System of Alabama, and Teachers' Retirement System of Alabama.

Also:

H. 285. To authorize each of the municipalities in this State to provide buildings and other facilities for lease to and use by one or more regional, national or international association or organization, one or more of the purposes or objects of which shall consist of one or more of the following: the promotion of patriotism or good citizenship, the development of civic pride or consciousness, the improvement of trade, business, professional or economic conditions, or the promotion of health, safety, conservation, community beautification, or community welfare, and the membership of which regional, national or international association or organization shall include (1) persons, firms or corporations residing or domiciled in not less than twelve of the states of the United States, including at least two such members residing or domiciled in the State of Alabama, or (2) local organizations or clubs with like objects or purposes situated in not less than twelve of the states of the United States, including at least two such organizations or clubs situated in the State of Alabama; to authorize municipalities to acquire one or more projects consisting of buildings for the supplying of offices, storage and related facilities to such regional, national or international organizations, together with any lands or interests therein deemed desirable in connection therewith, to improve, enlarge, expand, equip, furnish, insure and maintain one or more such projects, to lease such properties subject to certain specified requirements, to finance the cost of such acquisition, improvement, enlargement, expansion, equipment and furnishing by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties and to enter into contracts and agreements and to do all acts necessary for or incidental to the performance of the duties and the execution of the powers of a municipality under said Act; to provide that such bonds shall not be subject to the laws of the State of Alabama governing usury; to authorize the refunding of any such bonds; to provide for remedies in the event of default respecting any bonds issued under the Act; to exempt from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder and any deeds or other documents whereby properties are acquired by a municipality under the Act; to prohibit any municipality from making contributions to the cost of any such properties and from furnishing land therefor; to provide that such bonds and any agreements made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; to provide that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; to provide the purposes for which the proceeds from the sale of such bonds may be used; to provide that the provisions of Act No. 217 of the 1967 Special Session of the Legislature which relate to competitive bidding shall not be applicable to any contracts made by municipalities under the Act; and to provide that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or the securing thereof.

Also:

H. 1248. To supplement Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as heretofore amended, so as to provide a comprehensive system of law applicable to any corporation organized pursuant to the said Act, the service area of which includes a resort area

and which has obtained the express approval of the governing body of each county in which it carries on its operations to exercise the powers conferred hereby; to permit such a corporation to construct improvements consisting of sanitary sewers and sewer facilities in resort areas located within its service area which are outside the corporate limits of any municipality and within the service area of such corporation; to provide a method for the assessment of the cost of any such improvements against the property abutting on, or drained, served, or benefited by such improvements; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement; to provide for supervision of the work; to provide for the levy of assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system of payment of all assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on official bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

Also:

H. 985. To amend further Title 51, Section 21, Alabama Code 1940, by further exempting from taxation any tree, bush, vine or other growing thing from which a crop is harvested.

And finds same correctly enrolled.

TOM DRAKE.
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McMillan, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar, the third reading of the bill, H. 1804.

And the bill:

H. 1804. To further amend Section 385, Title 51, Code of Alabama of 1940 as heretofore amended to allow as a deduction in the computation of net income for income tax purposes contributions under pension, profit-sharing and annuity plans for the benefit of self-employed individuals or employees or both.

Was read a third time at length and passed.

Yeas 62; Nays 0.

Yeas:

Messrs.:	Cross	Kinsey	St. John
Bank	Culver	Lutz	Smith (K)
Barkett	Downing	McBride	Smith (P)
Barron	Easters	McCluskey	Snell
Boutwell	Edwards	McCorquodale	Stokes
Brassell	Erdreich	McDonald	Stubbs
Carnes	Fite	McMillan	Therrell
Carter	Flippo	McNair	Timmons
Casey	Gafford	Manley	Turner
Cauthen	Grainger	Mathews	Waldrop
Chesnut	Gray (F)	May	Wallace
Collins	Hale	Meeks	Warren
Connell	Hardin	Nettles	Weeks
Coshatt	Headley	Parker	Williams
Cottingham	Hill	Pruitt	Wynot
Crawford	King	Roberts	

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RULE SUSPENDED

On motion of Mr. McMillan, Rule 4(4) was suspended to permit the bill, H. 1804, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1804, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McMillan, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar, the third reading of the bill, H. 1805.

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And the bill:

H. 1805. To further Amend Section 392, Title 51, Code of Alabama of 1940 as heretofore amended.

Was read a third time at length and passed.

Yeas 56; Nays 0.

Yeas:

Messrs.:	Coshatt	Hardin	Pruitt
Adams	Crawford	Headley	Roberts
Bank	Cross	Hill	St. John
Barkett	Culver	King	Smith (K)
Barron	Downing	Kinsey	Smith (P)
Benton	Easters	McBride	Snell
Boutwell	Edwards	McDonald	Stokes
Brassell	Erdreich	McMillan	Stubbs
Carnes	Fite	McNair	Therrell
Carter	Flippo	Manley	Timmons
Casey	Gafford	Mathews	Waldrop
Cauthen	Grainger	May	Wallace
Chesnut	Gray (F)	Nettles	Williams
Collins	Hale	Parker	Wynot
Connell			

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RULE SUSPENDED

On motion of Mr. McMillan, Rule 4(4) was suspended to permit the bill, H. 1805, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1805, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Carter, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar the third reading of the bill, H. 2144.

And the bill:

H. 2144. (With Amendment): To require each city and county board of education in this state to grant lunchroom workers and custodial employees in each public school in this state the same percentage raise as was granted to school teachers under the provisions of the Special Educational appropriation bill enacted at the 1973 Regular Session of the Legislature.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendments being as follows:

Delete the last sentence of Section 1 and add in lieu thereof the following:

“Such city and county boards of education are hereby empowered and directed to grant raises to said lunchroom workers and custodial employees out of any funds such city and county systems have.

And the amendment was adopted.

Yeas 63; Nays 0.

Yeas:

Messrs.:	Culver	Lutz	Pruitt
Adams	Downing	McBride	St. John
Barkett	Easters	McCluskey	Smith (K)
Benton	Edwards	McCorquodale	Smith (P)
Boutwell	Erdreich	McDonald	Snell
Brassell	Falkenburg	McMillan	Stokes
Carnes	Fite	McNair	Stubbs
Carter	Gafford	Manley	Taylor
Casey	Grainger	Mathews	Therrell
Cauthen	Gray (F)	May	Turner
Chesnut	Hale	Meeks	Waldrop
Connell	Hardin	Mims	Wallace
Coshatt	Headley	Nettles	Warren
Cottingham	Hobbie	O'Daniel	Weeks
Crawford	King	Parker	Williams
Cross	Kinsey	Porter	Wynot

—63

And the bill, H. 2144 as thus amended, was read a third time at length and passed.

Yeas 58; Nays 0.

Yeas:

Messrs.:	Culver	Kinsey	St. John
Adams	Downing	Lutz	Smith (K)
Barkett	Drake	McBride	Smith (P)
Benton	Easters	McCluskey	Snell
Boutwell	Edwards	McDonald	Stokes
Brassell	Erdreich	McMillan	Stubbs
Carnes	Fite	Manley	Therrell
Carter	Flippo	Mathews	Turner
Casey	Gafford	May	Waldrop
Cauthen	Grainger	Meeks	Wallace
Chesnut	Hardin	Mims	Warren
Connell	Headley	Nettles	Weeks
Cottingham	Hill	O'Daniel	Williams
Crawford	Hobbie	Porter	Wynot
Cross	King	Pruitt	

—58

RULE SUSPENDED

On motion of Mr. Carter, Rule 4(4) was suspended to permit the bill, H. 2144, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 2144, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Smith (P), the rules were suspended in order to take up for immediate consideration from the Special Order Calendar, the third reading of the bill, H. 338.

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And the bill:

H. 338. To amend Title 51, Section 46, Code of Alabama 1940, which relates to estimating the value of property for the purpose of taxation.

Was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Messrs.:	Culver	Hobbie	Reid (R)
Adams	Downing	King	Reynolds
Barkett	Drake	Kinsey	St. John
Benton	Easters	Lang	Smith (K)
Boutwell	Edwards	Lutz	Smith (P)
Bowers	Erdreich	McBride	Snell
Brassell	Falkenburg	McDonald	Stewart
Carnes	Fite	McMillan	Stubbs
Carter	Flippo	Manley	Taylor
Casey	Gafford	Mathews	Therrell
Cauthen	Goodwin	May	Turner
Chesnut	Grainger	Mims	Waldrop
Connell	Gray (F)	Nettles	Warren
Coshatt	Hale	O'Daniel	Weeks
Cottingham	Hardin	Porter	Williams
Crawford	Headley	Pruitt	Wynot
Cross	Hill		

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RULE SUSPENDED

On motion of Mr. Smith (P), Rule 4(4) was suspended to permit the bill, H. 338, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 338, was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 286. To provide subsistence allowances for law enforcement officers while on duty and to authorize expenditure of funds for that purpose.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Adams, the House concurred and adopted the Senate amendment to the bill, H. 286, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide subsistence allowances for law enforcement officers while on duty and to authorize expenditure of funds for that purpose.

Be It Enacted by the Legislature of Alabama:

Section 1. Any State law enforcement officer of the State of Alabama who is employed by the Department of Public Safety, Department of Conservation and Natural Resources, Alabama Alcoholic Beverage Control Board, or Department of Agriculture and Industries shall receive a subsistence allowance of five dollars (\$5.00) for each working day of a pay period while engaged in and in the performance of his duties as a law officer. This allowance shall be in addition to all other compensation, expenses, and allowances provided for such officers.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Cross	Kinsey	Reynolds
Adams	Culver	Lutz	Roberts
Agee	Downing	McBride	St. John
Barkett	Drake	McCorquodale	Smith (K)
Benton	Easters	McDonald	Snell
Boutwell	Edwards	McMillan	Stewart
Brassell	Flippo	Manley	Stubbs
Callahan	Gafford	Mathews	Therrell
Carnes	Goodwin	May	Turner
Carter	Grainger	Merrill	Waldrop
Casey	Gray (F)	Mims	Wallace
Cauthen	Hardin	O'Daniel	Warren
Chesnut	Headley	Parker	Weeks
Connell	Hill	Porter	Williams
Coshatt	Hobbie	Pruitt	Wynot
Cottingham	King		

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And the bill, H. 286 as thus amended, was again read at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Goodwin	Manley
Adams	Connell	Grainger	Mathews
Agee	Coshatt	Gray (F)	May
Barkett	Cottingham	Hardin	Merrill
Benton	Cross	Headley	Mims
Boutwell	Culver	Hill	O'Daniel
Brassell	Downing	Hobbie	Parker
Callahan	Easters	King	Porter
Carnes	Edwards	Kinsey	Pruitt
Carter	Fite	Lutz	Reynolds
Casey	Flippo	McBride	Roberts
Cauthen	Gafford	McMillan	St. John

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Smith (K)
Snell
Stewart

Stubbs
Therrell
Turner

Wallace
Warren
Weeks

Williams
Wynot

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1909. Pertaining to Madison County, to consolidate the offices of Register in Chancery of the 23rd Judicial Circuit, the office of County Court Clerk or its successor and the Clerk of the Circuit Court, 23rd, Judicial Circuit; to provide that the clerk of the said Circuit Court henceforth perform duties and functions of the said Register and County Court Clerk; to provide the compensation of the Circuit Clerk and to otherwise provide for the office of Clerk of the Circuit Court, 23rd Judicial Circuit of Alabama; to create the office of Court Administrator; to provide the compensation and duties of said office and to otherwise provide for said office.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Lutz, the House concurred in and adopted the Senate amendment to the bill, H. 1909, said Senate amendment being as follows:

AMENDMENT TO H. B. 1909

Amend Section 2 by changing the period at the end of the second sentence in such section to a comma and inserting the following:

and the same right to become a supernumerary register that he or she would have had if the office of register had continued to exist and he or she had continued to hold such office until he or she makes application to become a supernumerary register.

AMENDMENT TO H. 1909

Strike Section 10 in its entirety and insert in lieu thereof the following:

Section 10. This Act shall become effective on the first day of November following its passage and approval by the Governor, or its otherwise becoming law; provided, that any provision hereof which contravenes the Constitution of Alabama of 1901, as amended, shall become effective upon the ratification and adoption of an amendment to said Constitution authorizing such provision.

AMENDMENT TO H. B. 1909

Strike Section 8 and insert in lieu thereof the following:

Section 8. The Clerk of the 23rd Judicial Circuit of Alabama shall receive an annual salary of \$17,700 per annum for the fiscal year beginning October 1, 1973, \$18,900 per annum for the fiscal year beginning October 1, 1974 and \$20,000 per annum for the fiscal year beginning October 1, 1975 and each year thereafter, which salary shall be paid in equal monthly installments from the General Fund of Madison County.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Downing	Kinsey	Roberts
Adams	Easters	Lang	St. John
Agee	Edwards	Lutz	Smith (K)
Barkett	Falkenburg	McBride	Snell
Benton	Fite	McCluskey	Stewart
Boutwell	Flippo	McDonald	Stubbs
Brassell	Gafford	McMillan	Therrell
Carnes	Goodwin	Manley	Turner
Carter	Grainger	Mathews	Waldrop
Casey	Gray (F)	May	Wallace
Chesnut	Hardin	Mims	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hill	Porter	Williams
Cottingham	Jackson	Pruitt	Wynot
Cross	King	Reynolds	

—59

And the bill, H. 1909 as thus amended, was again read at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Crawford	King	Roberts
Adams	Cross	Kinsey	St. John
Adwell	Culver	Lang	Smith (K)
Agee	Downing	Lutz	Snell
Barkett	Easters	McBride	Stewart
Benton	Edwards	McCluskey	Stubbs
Boutwell	Fite	McMillan	Therrell
Brassell	Flippo	Manley	Turner
Carnes	Gafford	Mathews	Turnham
Carter	Goodwin	May	Waldrop
Casey	Grainger	Mims	Wallace
Cauthen	Gray (F)	O'Daniel	Warren
Chesnut	Hardin	Parker	Weeks
Connell	Headley	Porter	Williams
Coshatt	Hill	Pruitt	Wynot
Cottingham	Jackson		

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MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning House Bill Number 1522, without the Governor's approval.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 30TH DAY OF AUGUST, 1973.

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To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

At the request of the sponsors, I am returning to you, the Body in which it originated, House Bill Number 1522, without my signature and approval, and with a suggested Executive Amendment.

It is suggested that Section 17 of said bill be deleted and that the following be substituted:

"Section 17. This Act shall take effect on October 1, 1973 and its approval by the Governor, or upon its otherwise becoming law."

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully,

GEORGE C. WALLACE,
GOVERNOR.

GOVERNOR'S MESSAGE

On motion of Mr. Grainger, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1522, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Crowe	Kinsey	Robertson
Adams	Culver	Lutz	St. John
Barkett	Downing	McBride	Smith (K)
Benton	Drake	McCluskey	Smith (P)
Boutwell	Easters	McDonald	Snell
Brassell	Edwards	McMillan	Stewart
Callahan	Fite	Manley	Stubbs
Carnes	Flippo	Mathews	Therrell
Carter	Goodwin	May	Turner
Casey	Grainger	Mims	Turnham
Chesnut	Gray (F)	O'Daniel	Waldrop
Connell	Hardin	Owens	Wallace
Coshatt	Headley	Parker	Warren
Cottingham	Hobbie	Porter	Weeks
Crawford	Jackson	Pruitt	Williams
Cross	King	Roberts	Wynot

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And the bill:

H. 1522. To establish an intermediate court in Madison County, Alabama, in lieu of all other intermediate or inferior courts created in lieu of justices of the peace heretofore created in said County, said court to be called the General Sessions Court of Madison County; to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judges, Clerk, and other officers of said court; to fix the

terms or tenure of office of the officers of said court and provide for their salaries and compensation and the methods of payment of same; to designate the officials to serve processes issued by said court, and define their duties and the duties of other officials with respect to said court; and, to otherwise provide for said court.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cross	King	St. John
Adams	Culver	Kinsey	Smith (K)
Agee	Downing	Lutz	Smith (P)
Barkett	Drake	McBride	Snell
Benton	Easters	McCluskey	Stewart
Boutwell	Ellis	McDonald	Stubbs
Brassell	Fite	McMillan	Therrell
Callahan	Flippo	Manley	Turner
Carnes	Goodwin	Mathews	Turnham
Carter	Grainger	May	Waldrop
Casey	Gray (F)	Mims	Wallace
Chesnut	Hardin	O'Daniel	Warren
Connell	Headley	Porter	Weeks
Coshatt	Hearn	Pruitt	Williams
Cottingham	Hobbie	Reynolds	Wynot
Crawford	Jackson	Roberts	

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 166. DESIGNATING THE NEW COOSA RIVER BRIDGE ON HIGHWAY 77 IN SOUTHSIDE, ALABAMA, THE RICHARD MALONE BRIDGE.

Also:

H. J. R. 179. EXPRESSING THE REGRET OF THE LEGISLATURE UPON THE DEATH OF BRYCE C. DAVIS.

Also:

H. J. R. 183. COMMENDING COLBERT COUNTY HIGH SCHOOL ON ITS OUTSTANDING SPORTS RECORD.

Also:

H. J. R. 192. MOURNING THE DEATH OF MERVYN HAYDEN STERNE.

Also:

H. J. R. 194. COMMENDING E. L. STEWART.

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Also:

H. J. R. 197. MOURNING THE DEATH OF THOMAS W. BRADFORD.

Also:

H. J. R. 202. GIVING TRIBUTE TO THE LIFE OF JAMES EDWIN HORTON, JR.

Also:

H. J. R. 203. THANKING THOSE RESPONSIBLE FOR THE PORK PRODUCERS' BARBECUE.

Also:

H. J. R. 204. MOURNING THE DEATH OF MILLIGAN EARNEST.

Also:

H. J. R. 205. COMMENDING DR. BURIS R. BOSHELL.

Also:

H. J. R. 206. COMMENDING HONORABLE HARTWELL B. LUTZ OF MADISON COUNTY FOR UNDERTAKING THE IMPORTANT TASK OF REVISING ALL MADISON COUNTY LOCAL LEGISLATION PASSED BY PREVIOUS LEGISLATORS.

Also:

H. J. R. 214. COMMENDING COLBERT COUNTY HIGH SCHOOL ON ITS OUTSTANDING SPORTS RECORD.

Also:

H. J. R. 212. WISHING MRS. ALICE J. DUCK "BEST WISHES" DURING HER RETIREMENT YEARS.

Also:

H. J. R. 213. COMMENDING JOHN RUSSELL PARRISH.

Also:

H. J. R. 215. HONORING COMPANY C, FIRST BATTALLION, 20TH SPECIAL FORCES GROUP (AIRBORNE) OF THE FIRST SPECIAL FORCES.

Also:

H. J. R. 216. DESIGNATING MR. BOB CAIN AND THE CANE-BREAKERS AS THE OFFICIAL BAND OF THE 1973 ALABAMA LEGISLATURE.

Also:

H. J. R. 217. COMMENDING THOMAS HAROLD ESPY FOR HIS WORK WITH THE STATE HIGHWAY DEPARTMENT.

Also:

H. J. R. 225. COMMENDING WILLIAM B. COOPER OF ROSINTON FOR HIS DILIGENT AND DEDICATED SERVICE TO THE PEOPLE OF BALDWIN COUNTY.

Also:

H. J. R. 226. MOURNING DEATH OF GEORGE HAMMERLY COPELAND.

Also:

H. J. R. 227. EXPRESSING THE REGRET OF THE LEGISLATURE UPON THE DEATH OF MR. R. C. WILLIAMS.

Also:

H. J. R. 231. COMMANDING JOHN SCOTT OF THE CAPITOL SECURITY FORCE FOR HIS EXCELLENT ATTITUDE IN THE PERFORMANCE OF HIS DUTIES.

Also:

H. J. R. 241. MOURNING THE DEATH OF MRS. IRENE WELCH OF MONTGOMERY.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 756. To provide for the creation of a department of the state to be known as the Department of Youth Services; to prescribe the powers and duties of the said department; to provide for the creation of the Alabama Youth Services board; to provide for the selection of the members of the said board; to prescribe the powers and duties of the board; to provide for the appointment of a State Youth Services Director, and to prescribe the powers, duties, and qualifications of the said Director; to transfer control of the state training schools to the department; to provide court review of the decisions of the said board; to provide for reports to the Governor; to provide for the submission of an annual budget; to require competitive bidding; to authorize medical, psychiatric, surgical, and dental care for the youth of the state; to provide for the treatment, education, and disposition of youth in the custody of the said

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department of the said board; and to prescribe penalties for the violation of this Act.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor returning House Bill Number 1822 without his approval.

Respectfully submitted,
HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 30th DAY OF AUGUST, 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 1822, without my approval and with a suggested Executive Amendment.

The first sentence of the bill erroneously refers to Section 82 of Title 11, Code of Alabama 1940, which is an apparent typographical error.

It is, therefore, suggested that the bill be amended as follows:

Delete the words "Section 82" immediately following the words "Title 11", and in lieu thereof substitute the words "Section 81".

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Grainger, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1822,

said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson	Reynolds
Adams	Cross	King	St. John
Agee	Culver	Kinsey	Smith (K)
Barkett	Downing	Lutz	Snell
Barron	Drake	McCluskey	Stubbs
Benton	Easters	McDonald	Therrell
Boutwell	Erdreich	McMillan	Turner
Brassell	Flippo	Manley	Turnham
Callahan	Gafford	Mathews	Waldrop
Carnes	Goodwin	May	Wallace
Carter	Grainger	O'Daniel	Warren
Casey	Gray (F)	Parker	Weeks
Chesnut	Hardin	Porter	Williams
Connell	Headley	Pruitt	Wynot
Cottingham	Hill		

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And the bill:

H. 1822. Relating to counties having a population not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; To amend Title 11, Section 81, Code of Alabama 1940 as recompiled in 1958; to provide for collection of fees in certain misdemeanor cases where defendant pleads guilty.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 58; Nays 0.

Yeas:

Messrs.:	Crawford	Jackson	St. John
Adams	Cross	King	Smith (K)
Adwell	Downing	Kinsey	Smith (P)
Agee	Drake	Lutz	Snell
Barkett	Easters	McCluskey	Stubbs
Barron	Edwards	McDonald	Therrell
Benton	Erdreich	McMillan	Turner
Boutwell	Flippo	Manley	Turnham
Brassell	Gafford	Mathews	Waldrop
Callahan	Goodwin	May	Wallace
Carnes	Grainger	O'Daniel	Warren
Casey	Hardin	Parker	Weeks
Chesnut	Headley	Porter	Williams
Connell	Hill	Pruitt	Wynot
Cottingham	Hobbie	Reynolds	

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MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

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Gentlemen:

I herewith transmit to you a Message from the Governor returning House Bill Number 1353 without his approval.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 30th DAY OF AUGUST, 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 1353, without my approval and with a suggested Executive Amendment, which will correct an apparent typographical mistake allowing the Clerk of the Intermediate Court to be paid no more than \$6,800.00.

It is, therefore, suggested that in Section 2 following the words "For the clerk", the figure \$6,800.00" be deleted and the figure "\$6,800.00" be substituted thereof.

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. St. John, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1353, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Crawford	Headley	Reid (R)
Adwell	Cross	Hill	Reynolds
Agee	Culver	Hobbie	Roberts
Barkett	Downing	King	St. John
Barron	Drake	Kinsey	Smith (K)
Benton	Easters	Lutz	Stewart
Boutwell	Edwards	McBride	Stubbs
Brassell	Ellis	McDonald	Therrell
Callahan	Erdreich	McMillan	Turner
Carnes	Fite	Manley	Turnham
Carter	Flippo	Mathews	Waldrop
Casey	Gafford	May	Warren
Chesnut	Goodwin	Merrill	Weeks
Connell	Grainger	Porter	Williams
Coshatt	Gray (F)	Pruitt	Wynot
Cottingham	Hardin		

And the bill:

H. 1353. To establish, in Cullman County, a clerk of the intermediate court, to provide for a deputy clerk and assistant clerks in such office, to provide for salaries of such clerks and to provide for equipment and other necessary expenses for such office.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Hardin	Porter
Adams	Cottingham	Headley	Pruitt
Agee	Crawford	Hill	Reynolds
Barkett	Cross	Hobbie	St. John
Barron	Culver	King	Smith (K)
Benton	Downing	Kinsey	Snell
Boutwell	Drake	Lang	Stewart
Brassell	Easters	Lutz	Stubbs
Callahan	Erdreich	McBride	Therrell
Carnes	Fite	McDonald	Turner
Carter	Flippo	McMillan	Turnham
Casey	Gafford	Manley	Waldrop
Chesnut	Goodwin	Mathews	Weeks
Collins	Grainger	May	Williams
Connell	Gray (F)	Merrill	Wynot

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1005. To create a uniform military code by rewriting Sections 1-185 and Sections 203-349 of Title 35, Code of Alabama and amendments thereto, to provide for the Alabama National Guard and naval militia and to provide for the Alabama State Guard; to provide for the training, regulation, maintenance and appropriations therefor; to establish the state military department and the office of the Adjutant General and to prescribe the duties, authority, and power of such department and office; to establish a uniform code of military justice and to provide other authority incidental to the proper establishment and maintenance of the Alabama National Guard, naval militia, and the Alabama State Guard.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Jones (F), the House concurred in and adopted the Senate amendment to the bill, H. 1005, said Senate amendment being as follows:

SENATE AMENDMENT TO H. B. 1005

Amend H. B. 1005 by deleting Section 12 and inserting the following in lieu thereof:

"Section 12. Distinctive automobile tags for National Guardsmen. — There shall be exempt from the operation of the privilege or license tax and registration fee now or hereinafter to be levied on automobiles and motor vehicles by the State of Alabama, one passenger vehicle owned by any active member of the Alabama National Guard or the Alabama state guard when organized in lieu of the national guard. Each active member of the national guard shall be entitled to such exemption for only one such vehicle and such exemption extends only to distinctive national guard license tags. Such exemption shall be claimed upon presentation of proper identification on forms prescribed by the adjutant general. Active members of the national guard may obtain additional distinctive license tags for other passenger vehicles which they own by paying the regular privilege or license tax provided by law. Retired members of the Alabama National Guard may obtain one or more distinctive license tags for passenger vehicles which they own upon presentation and proper identification on forms prescribed by the adjutant general and by paying the regular privilege license tax as provided by law.

Further amend Section 109 of H. B. 1005 to read as follows:

"Section 109. Operational support appropriation for headquarters and organizations. — The Legislature of Alabama shall appropriate during each of its regular sessions, or during such other sessions as conditions may require, a sufficient sum of money, based upon estimates and recommendations of The Adjutant General and approved by the Governor, for the purpose of defraying all expenses necessary and incident to the operations and support, the health, safety, welfare and morale of personnel assigned to headquarters and organizations of the Alabama National Guard, or for any other purpose that The Adjutant General may approve: Provided; that there shall be annually allowed to commanders such sums as The Adjutant General may determine and the Governor may approve, such allowances to be paid quarterly, and based on administrative responsibility and the type and number of units occupying facility:

Provided; that in order to secure such quarterly allowances, the commanders shall be required to render an accounting of all receipts and disbursements quarterly or for such period as The Adjutant General may require, such accounting of funds to be in accordance with rules and regulations prescribed by The Adjutant General and approved by the Governor."

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Jones (F)	St. John
Adams	Crawford	King	Smith (K)
Agee	Cross	Lang	Snell
Barkett	Downing	Lutz	Stewart
Barron	Drake	McBride	Taylor
Boutwell	Easters	McDonald	Therrell
Brassell	Edwards	McMillan	Turner
Callahan	Fite	Manley	Turnham
Carnes	Flippo	Mathews	Waldrop
Carter	Gafford	Merrill	Wallace
Casey	Goodwin	O'Daniel	Weeks
Chesnut	Grainger	Porter	Williams
Connell	Gray (F)	Pruitt	Wynot
Coshatt	Hobbie	Reynolds	

And the bill, H. 1005, as thus amended, was again read at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Smith (K)
Adams	Downing	King	Snell
Adwell	Easters	Lang	Stewart
Barkett	Edwards	Lutz	Stubbs
Barron	Erdreich	McBride	Taylor
Boutwell	Flippo	McDonald	Therrell
Brassell	Gafford	McMillan	Turner
Callahan	Goodwin	Manley	Turnham
Carnes	Grainger	Mathews	Waldrop
Carter	Gray (F)	Merrill	Wallace
Casey	Hardin	O'Daniel	Warren
Connell	Headley	Porter	Weeks
Coshatt	Hill	Pruitt	Williams
Cottingham	Hobbie	Reynolds	Wynot
Crawford	Jackson	St. John	

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills to-wit:

H. 1693. Relating to counties having populations of not less than 75,000 nor more than 90,000; providing for payment of expense allowance and salary for the judges of the county courts of such counties.

Also:

H. 1791. Relating to the boards of education in counties having populations of not less than 14,000 nor more than 15,000, according to the most recent federal decennial census, providing an expense allowance for the superintendents of such boards, and providing daily compensation for members of such boards when such boards meet officially to transact business.

And finds same correctly enrolled with Executive Amendment.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

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H. 388. To provide for the exemption from ad valorem taxation of the home of any person who is totally disabled or who is sixty-five years of age or older and who had an adjusted gross income of less than five thousand dollars for income tax purposes for the last preceding year.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House concurred in and adopted the Senate amendment to the bill, H. 388, said Senate amendment being as follows:

Amend H. B. 388, Section 1, by striking: "the home of any person who is totally disabled or who is sixty-five years of age or older, and who had an adjusted gross income for income tax purposes" and inserting in lieu thereof: "the home of any person who is totally disabled or who is sixty-five years of age or older, and who had a gross income"

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Hardin	Pruitt
Adams	Cottingham	Hill	Reynolds
Adwell	Crawford	Hobbie	St. John
Agee	Cross	Jackson	Smith (K)
Bank	Culver	King	Snell
Barkett	Downing	Lutz	Stewart
Barron	Easters	McBride	Taylor
Benton	Edwards	McCluskey	Therrell
Boutwell	Erdreich	McDonald	Turner
Burgess	Fite	McMillan	Turnham
Callahan	Flippo	Manley	Wallace
Carnes	Gafford	Mathews	Warren
Carter	Goodwin	Merrill	Weeks
Casey	Grainger	O'Daniel	Williams
Connell	Gray (F)	Porter	Wynot

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And the bill, H. 388 as thus amended, was again read at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Coshatt	Gray (F)	Pruitt
Adams	Cottingham	Hardin	Reynolds
Adwell	Crawford	Hill	St. John
Agee	Cross	Hobbie	Smith (K)
Bank	Culver	Jackson	Snell
Barkett	Doss	King	Stewart
Barron	Downing	Lutz	Taylor
Boutwell	Easters	McCluskey	Therrell
Burgess	Edwards	McDonald	Turner
Callahan	Erdreich	McMillan	Turnham
Carnes	Fite	Manley	Wallace
Carter	Flippo	Mathews	Warren
Casey	Gafford	Merrill	Weeks
Chesnut	Goodwin	O'Daniel	Wynot
Connell	Grainger	Porter	

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MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Turnham, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar the third reading of the bill, H. 1576.

And the bill:

H. 1576. To permit the deduction by individual income tax payers, in computing net income for state income tax purposes, of payments made to a spouse for alimony or separate maintenance; to prescribe payments which shall be deductible by the payer and taxable to the recipient; to prescribe payments which shall not be deductible by the payer nor taxable to the recipient; to become effective for any taxpayer's tax year beginning on or after January 1, 1965.

Was read a third time at length and passed.

Yeas 56; Nays 0.

Yeas:

Messrs.:	Crawford	Hobbie	Reynolds
Adams	Cross	Jackson	Roberts
Adwell	Downing	King	St. John
Agee	Easters	Lang	Smith (K)
Barkett	Edwards	Lutz	Smith (P)
Barron	Ellis	McDonald	Snell
Boutwell	Erdreich	McMillan	Stewart
Callahan	Fite	McNair	Therrell
Carnes	Flippo	Manley	Turner
Carter	Gafford	Mathews	Turnham
Casey	Goodwin	Merrill	Wallace
Cauthen	Grainger	Mims	Weeks
Chesnut	Gray (F)	O'Daniel	Wood
Connell	Hill	Porter	Wynot
Cottingham			

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RULE SUSPENDED

On motion of Mr. Turnham, Rule 4(4) was suspended to permit the bill, H. 1576, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1576, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Collins, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 944.

And the bill:

H. 944. To amend Sections 10 and 11 of Act No. 481, S. 152, Regular Session 1963 (Acts 1963, p. 1028), so as to make the executive director and employees of the USS ALABAMA Battleship Commission eligible for membership in the state health insurance plan and eligible for participation in the State employees' retirement system.

Was read a third time at length and passed.

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Yeas 54; Nays 0.

Yeas:

Messrs.:	Cottingham	Hill	Reynolds
Adams	Crawford	Hobbie	Roberts
Adwell	Cross	King	St. John
Bank	Downing	Kinsey	Smith (K)
Barkett	Easters	Lutz	Smith (P)
Barron	Edwards	McDonald	Snell
Benton	Ellis	McMillan	Stewart
Boles	Erdreich	Manley	Therrell
Callahan	Flippo	Mathews	Turner
Carnes	Gafford	May	Turnham
Carter	Goodwin	Merrill	Waldrop
Casey	Grainger	Mims	Wood
Chesnut	Gray (F)	Nettles	Wynot
Connell	Hardin	Porter	

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RULE SUSPENDED

On motion of Mr. Collins, Rule 4(4) was suspended to permit the bill, H. 944, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 944, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Cauthen to suspend the rules in order to take up for immediate consideration from the Special Order Calendar, the third reading of the bill, H. 1247, was lost.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Flippo, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 807.

And the bill:

H. 807. To amend Sections 7 and 8 of Act No. 740, Regular Session 1969, which Act created the Alabama Securities Commission, in order to revise salaries of the Director and Deputy Director of said Commission.

Was read a third time at length and passed.

Yeas 51; Nays 0.

Yeas:

Messrs.:	Collins	Fite	McDonald
Adams	Connell	Flippo	McMillan
Adwell	Coshatt	Gafford	McNair
Barkett	Cottingham	Goodwin	Mathews
Barron	Cross	Grainger	May
Boutwell	Downing	Gray (F)	Merrill
Callahan	Drake	Hardin	Mims
Carnes	Easters	Hill	Nettles
Carter	Edwards	King	Reynolds
Casey	Ellis	Lutz	Roberts

Robertson
St. John
Smith (K)Snell
Stewart
TherrellTurner
Turnham
WaldropWeeks
Williams
Wynot

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Mr. Flippo, Rule 4(4) was suspended to permit the bill, H. 807, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 807, was ordered sent forthwith to the Senate without engrossment.

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Ellis moved to reconsider the vote by which the bill, S. 611, passed, and the motion was adopted.

Yeas 48; Nays 6.

Yeas:

Messrs.:
Barkett
Benton
Boles
Brassell
Callahan
Carnes
Carter
Chesnut
Collins
Connell
Cottingham
CrawfordCross
Culver
Downing
Easters
Edwards
Ellis
Falkenburg
Fite
Flippo
Gafford
Goodwin
GraingerGrey (D)
Hill
King
Lutz
McBride
McDonald
McMillan
McNair
Manley
May
Merrill
NaramoreParker
Porter
Reid (R)
Reynolds
St. John
Stokes
Taylor
Timmons
Waldrop
Wallace
Weeks
Wynot

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Nays:

Messrs.:
AdwellBarron
BoutwellErdreich
Hearn

Meeks

—6

UNANIMOUS CONSENT GRANTED

At the request of Mr. Bank, unanimous consent was granted for the Journal to show him not voting on the bill, S. 611.

S. 611 RECONSIDERED

And the bill:

S. 611. To Repeal Section 17 of Act No. 1594, Regular Session 1971, thereby applying the provisions of this act to counties with populations of 600,000 inhabitants or more.

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Was again read at length and passed.

Yeas 57; Nays 0.

Yeas:

Messrs.:	Cottingham	King	Roberts
Adams	Cross	Lutz	Robertson
Adwell	Culver	McCluskey	St. John
Agee	Downing	McDonald	Smith (K)
Bank	Drake	McMillan	Smith (P)
Barkett	Easters	McNair	Snell
Barron	Ellis	Mathews	Stewart
Boles	Erdreich	May	Therrell
Boutwell	Flippo	Merrill	Timmons
Callahan	Gafford	Mims	Turner
Carter	Goodwin	Nettles	Turnham
Casey	Grainger	O'Daniel	Waldrop
Chesnut	Gray (F)	Porter	Weeks
Connell	Hardin	Reynolds	Wynot
Coshatt	Hill		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 619. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959, (Ala. Acts, 1959, p. 1376) as amended by Act No. 991 of the Regular Session of the Legislature of Alabama of 1971, approved September 7, 1971 (Ala. Acts, 1971, p. 1783), and amended by Act No. 1576 of the Regular Session of the Legislature of Alabama of 1971, approved September 17, 1971 (Ala. Acts, 1971 p. 2692), which Act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts 1951, p. 1579) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the latest or any subsequent federal census.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Cook, King and Hawkins.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. McBride, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 578.

And the bill:

H. 578. (With Amendment): To further amend Section 12, Title 52, Code of Alabama 1940, as amended, which section relates to the meetings of

members of the state board of education, so as to provide for monthly meetings by members of said board.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Education, said Committee amendment being as follows:

Amend House Bill 578 by amending the first sentence of Section 12 to read as follows: "The State Board of Education shall hold a regularly scheduled monthly meeting at the office of the Department of Education in Montgomery, at which meeting on the second Tuesday in July one of its members shall be elected vice-president."

And the amendment was adopted.

Yeas 47; Nays 0.

Yeas:

Messrs.:	Connell	Hardin	Roberts
Adams	Cottingham	Hill	Robertson
Adwell	Cross	King	St. John
Barkett	Doss	Lutz	Smith (K)
Barron	Downing	McCluskey	Smith (P)
Boles	Drake	McDonald	Snell
Boutwell	Ellis	McMillan	Therrell
Brassell	Erdreich	Merrill	Turner
Callahan	Flippo	Mims	Turnham
Carnes	Goodwin	Nettles	Wallace
Carter	Grainger	Porter	Weeks
Casey	Gray (F)	Reynolds	Wynot

—47

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 578 as thus amended, was read a third time at length and passed.

Yeas 43; Nays 0.

Yeas:

Messrs.:	Carter	Gray (F)	Robertson
Adams	Connell	Hardin	St. John
Adwell	Cottingham	Hill	Smith (K)
Agee	Cross	King	Smith (P)
Barkett	Downing	Lutz	Snell
Barron	Easters	McCluskey	Therrell
Boles	Ellis	McDonald	Turner
Boutwell	Erdreich	McMillan	Turnham
Brassell	Flippo	Mims	Waldrop
Carnes	Goodwin	Porter	Weeks
Casey	Grainger	Reynolds	Wynot

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Mr. McBride, Rule 4(4) was suspended to permit the bill, H. 578, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 578, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Casey, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1035.

And the bill:

H. 1035. (With Substitute): Relating to hospitalization of mentally ill persons; defining terms; providing for specified civil, legal and treatment rights of patients, prescribing the duties and responsibilities of all persons and agencies concerned with the admission and treatment of mentally ill persons; prescribing the procedures for voluntary admission, emergency admission, admission for evaluation, and for involuntary hospitalization and treatment; prescribing the quality of care and treatment of patients; authorizing the Alabama Department of Mental Health to issue regulations enforcing the provisions of this Act; and repealing conflicting laws.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Health, said Committee substitue being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to hospitalization of mentally ill persons; defining terms; providing for specified civil, legal and treatment rights of patients, prescribing the duties and responsibilities of all persons and agencies concerned with the admission and treatment of mentally ill persons; prescribing the procedures for voluntary admission, emergency admission, admission for evaluation, and for involuntary hospitalization and treatment; prescribing the quality of care and treatment of patients; authorizing the Alabama Department of Mental Health to issue regulations enforcing the provisions of this Act; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

PART I—DEFINITIONS

Section 1. Definitions.

Unless a different meaning is required by the context, the following terms as used in this Chapter shall have the meaning hereinafter respectively ascribed to them:

(a) "Mentally ill" shall mean having a psychiatric or other disorder which substantially impairs the person's mental health, and who is in need of treatment or supervision.

(b) "Department" shall mean the Alabama Department of Mental Health and includes its duly authorized agents;

(c) "Facility" shall mean any State-owned or State-operated hospital or other facility utilized for the diagnosis, care, treatment, training, or hospitalization of persons who are mentally ill, any facility operated or utilized for such purpose by the United States Veterans Administration or other Federal Agency, and any other hospital within the State of Alabama approved for such purpose by the department; excluding those general hospitals owned by a state educational institution which is a public corporation organized under the acts of the Legislature of the State of Alabama. Such exclusion, however, shall not deny the governing authority of such hospital the right to contractually agree to provide services to the mentally ill.

(d) "Patient" shall mean any mentally ill person who qualifies for hospitalization under the provisions of this Chapter, or any person who qualifies and for whom such hospitalization is sought or seeks hospitalization.

(e) "Physician" shall mean a doctor of medicine who is licensed to practice in this State, or a medical officer of the government of the United States while in Alabama in performance of his official duties;

(f) "Psychiatrist" shall mean a doctor of medicine who is licensed to practice in this State, or a medical officer of the government of the United States while in Alabama in performance of his official duties, who has had three (3) years of specialty training in a training program approved by the Council on Medical Education and the American Board of Psychiatry and Neurology, Inc., and who is eligible for or certified by the aforementioned board as a psychiatrist.

(g) "Peace Officer" shall mean any city or county police officer, officer of the State Patrol, sheriff or deputy sheriff;

(h) "Resident" shall mean a person who is a legal resident of the State of Alabama;

(i) "Representatives" shall mean the persons appointed as provided in this Chapter to receive notice of the proceedings for hospitalization;

(j) "Emergency Receiving Facility" shall mean a facility designated by the department to receive patients under emergency conditions as provided in this Chapter;

(k) "Evaluating Facility" shall mean a facility designated by the department to receive patients for psychiatric evaluation as provided in this Chapter;

(l) "Treatment Facility" shall mean a facility designated by the department to receive patients for psychiatric treatment as provided in this Chapter;

(m) "Penal Offense" means violations of a law of the State or a political subdivision thereof for which the offender may be confined in a State prison or a city or county jail or other penal institution;

(n) "Clinical Record" shall mean all parts of the record required to be maintained under this Chapter and shall include: admission authority, court orders, admission data, examination record, treatment plan, progress notes, discharge plans and data, and any other records;

(o) "Court" means the probate court unless otherwise specified.

PART II—VOLUNTARY ADMISSIONS

Section 2. Designation Of Facility To Receive Patient.

(a) The department may designate the facility to which a patient is admitted under the provisions of this Chapter. If the patient is able to pay for treatment in a private facility approved by the department, he may apply to the department for transfer at his expense to such private facility. If the private facility agrees to accept the patient, the department shall transfer the patient to that facility.

(b) When the medical needs of the patient or efficient utilization of the facilities of the department require, a patient may be transferred from one facility of the department to another. At the time of any such transfer, notice shall be given in writing to the patient and to his representatives.

Section 3. Authority to Receive Voluntary Patients.

(a) The chief medical officer of any facility may receive for observation, diagnosis and treatment any individual 18 years of age, or older, making application therefor.

(b) The chief medical officer of any evaluating facility may receive for observation and diagnosis any individual 14 years of age or older who makes application therefor.

Section 4. Discharge Of Voluntary Patients.

The chief medical officer of the facility may discharge any voluntary patient who has sufficiently improved that the chief medical officer determines that hospitalization is no longer desirable. He may also discharge any voluntary patient, if in his judgment to do so would contribute to the most effective use of the facility. Provided, however, that in no event shall any such patient be discharged if such discharge would be unsafe for the patient or others.

Section 5. Right of Voluntary Patients To Discharge On Application.

(a) A voluntary patient who is admitted to a facility or his adult next of kin or his legal guardian may request his discharge in writing from the chief medical officer at any time after five days following his admission to the facility, excluding Saturdays, Sundays and legal holidays. Within five days, excluding Saturdays, Sundays and legal holidays, of the delivery of a written request for release to the chief medical officer, the patient must be discharged from the facility unless the chief medical officer finds that the discharge would be unsafe to the patient or others, in which case proceedings for involuntary hospitalization must be initiated prior to the expiration of such five-day period. If such individual is under 18 years of age, his parent or guardian may apply for his discharge and the chief medical officer shall release the patient within five days of such application for discharge. If the patient was admitted on his own application and the request for discharge is made by a person other than the patient, the discharge may be conditioned upon the agree-

ment of the patient thereto. If the patient was admitted before the age of 18, his parent or guardian shall be notified prior to his discharge. If the patient was admitted as an adjudged incompetent, his guardian shall be notified prior to his discharge.

Section 6. Transfer to Voluntary Status.

The attending physician and staff members shall encourage any involuntary patient to transfer to voluntary status unless the attending physician finds that the patient is unable to understand the nature of voluntary hospitalization or that voluntary hospitalization would be harmful to the patient, which finding shall be entered in the patient's clinical record. Any involuntary patient who so applies shall be transferred to voluntary status of hospitalization immediately, unless the chief medical officer finds that this would not be in the best interest of the patient, which finding shall be entered in the patient's clinical record and signed by the chief medical officer. When such transfer to voluntary status occurs, notice shall be given to the patient and his representatives, and, if the patient was hospitalized under an order of court, to the court which entered such order.

PART III—EMERGENCY ADMISSIONS

Section 7. Facility For Emergency Admission.

The department may maintain an emergency receiving facility at each state hospital and each Alabama regional hospital which may accept patients from counties designated by the department. Any other facility within the State of Alabama may be so designated by the department at the request of or with the consent of the governing officers of such other facility. No provisions of this Chapter shall be deemed to require any county to construct any facility for the hospitalization or treatment of mental patients.

Section 8. Emergency Admission To A Receiving Facility.

(a) Any individual may be admitted to an emergency receiving facility upon (1) written application to the facility by a relative, spouse, guardian of the individual, or any peace officer, or, in the absence of these, any interested party who knows and is concerned with the welfare of the individual, and (2) certification by a physician that he has examined the individual within the preceding 5 days and that he is of the opinion that (a) he is mentally ill, and (b) because of his illness is likely to injure himself or others.

(b) The probate court of the county where the person is found may issue an emergency admission order. Such an order shall be issued only when the conditions of subsection (a) are complied with. Then, a peace officer shall be authorized to take the person into custody and deliver him forthwith to the nearest designated emergency receiving facility which is able to and agrees to accept the person.

Section 9. Examination In Emergency Receiving Facility.

A patient who is received by an emergency receiving facility shall be examined by a physician as soon thereafter as possible, but in any event within 72 hours, and may be given such emergency treatment as is indicated by good medical practice. The patient must be released within 72 hours of his admission unless the examining physician concludes that there is reason to believe that the patient may require a more thorough evaluation under the provisions of Section 11 and executes a certificate to that effect within 72 hours of the

patient's admission. The physician's certificate shall be served on the patient and his representative.

Section 10. Release From Emergency Receiving Facility.

If the examining physician concludes that further evaluation is not necessary, the patient shall be discharged, unless the patient is under criminal charges, in which case he shall be returned to the custody of a peace officer.

PART IV—ADMISSIONS FOR EVALUATION

Section 11. Petition for Court Ordered Evaluation.

Any person may file a petition with the probate court, executed under oath, alleging that a person within the county is mentally ill and is a danger to himself or others. The petition must be accompanied by the certificate of a physician stating that he has examined the patient within the preceding five days and has found that the patient may be mentally ill and in need of hospitalization, and that a full evaluation of the patient is necessary.

Section 12. Evaluation On Court Order.

(a) The probate court shall set a hearing on the petition filed for court-ordered evaluation and shall serve notice of such hearing on the patient and his representative. If service is made in person, the hearing shall be set within 48 hours, Saturdays, Sundays, and holidays excepted, of the day of service of the notice. If the patient or any representative is served by mail, the hearing shall be set within five days, Saturdays, Sundays, and holidays excepted, of the date such notice is mailed. A copy of the petition shall be attached to the notice of the time and place of the hearing. In all cases, the court shall grant a continuance upon application by the patient or his representative if necessary to permit the patient to prepare for the hearing. A representative for the service of the notice provided in Section 42 shall be selected other than the person who filed the petition. The hearing shall be held in an informal manner and at a location which will not be harmful to the mental health of the patient. The patient shall have a right to counsel, and the court shall inform the patient of that right. The rules of evidence and formal rules of procedure shall not apply. The court shall receive all relevant testimony and evidence.

(b) After a full hearing, if the court is satisfied that immediate evaluation is necessary, the court shall issue an order to deliver the patient forthwith to a designated evaluating facility. If the court is satisfied that evaluation is necessary, but that the patient need not be hospitalized immediately for his own safety or that of others, the court may order the patient to appear at a designated evaluating facility at a specific time within three days, Saturdays, Sundays, and legal holidays excepted. If the patient fails to appear at the specified time, the order of the court, countersigned by the chief medical officer of the evaluating facility, or his designee, to show that the person did not appear as ordered, shall authorize and direct any peace officer to take the person into custody and deliver him forthwith to the specified evaluating facility. Prior arrangements must be made by the court with the chief medical officer of the evaluating facility that he is able to accept the patient.

Section 13. Evaluation by An Evaluating Facility.

A patient who is admitted to an evaluating facility under Sections 9 and 12 of this Chapter may be detained for a period not to exceed thirty days. A patient admitted under this section shall have thorough physical, necessary

laboratory and x-ray, psychological, and psychiatric examinations including a social and developmental history. This examination shall be reviewed and approved by a psychiatrist who has personally interviewed the patient and approved the diagnosis and treatment recommendations. The staff physicians of the evaluating facility shall encourage the patient to apply for voluntary hospitalization if hospitalization appears desirable, unless the attending physician finds that the patient is unable to understand the nature of voluntary hospitalization or that voluntary hospitalization would be harmful to the patient, which finding shall be entered in the patient's clinical record. Within the thirty-day evaluating period, (a) the patient must be released, (b) the patient must agree to hospitalization as a voluntary patient, without objection from his representative, in which case the provisions of this Chapter on voluntary admission apply with the date of voluntary admission being set as the sixth day after admission to the evaluating facility, or (c) proceedings for involuntary hospitalization under Section 15 must be initiated.

Section 14. Power To Discharge Patient.

At any time the patient is found not to require hospitalization for emergency treatment or evaluation, the facility shall discharge the patient unless the patient is under criminal charges, in which case he shall be returned to the custody of a law enforcement officer. Notice of the discharge shall be given to the patient's guardian or representative, to the physician who executed a certificate of examination of the patient, and to the court which ordered the patient's evaluation.

PART V—INVOLUNTARY HOSPITALIZATION

Section 15. Admission.

A patient may be hospitalized in a facility under the provisions of this chapter only upon recommendation of the chief medical officer of an evaluating facility where the patient has been examined, supported by the opinion of a psychiatrist, who has personally examined the patient under the provisions of Section 13. This certificate of psychiatric evaluation shall authorize the patient to be retained pending the completion of a hearing under Section 16. The certificate shall be filed with the department and copies shall be served on the patient and his representative, accompanied by: (a) notice that the patient or his representative may apply for a hearing on the issue of the patient's need for hospitalization; (b) a petition for such hearing which requires only the signature of the patient or his representative for completion; (c) a notice that the petition may be filed in the probate court in the county in which the patient is hospitalized at the time the certificate is executed or in the county of residence of the patient, and the address of such court; and (d) a notice that the patient has a right to counsel. This petition may be filed at any time within six months of the date of certificate. If no petition for a hearing is filed within five days after the certificate is served on the patient's representative the certificate shall serve as authorization for the patient to be transferred to, or remain at, a treatment facility and as authorization to the treatment facility to admit or retain the patient for care and treatment. The treatment facility may retain a patient admitted under this section for a period not to exceed six months from the date of admission. If continued hospitalization is necessary at the end of that period, the chief medical officer shall apply for an order authorizing such continued hospitalization under Section 17.

Section 16. Procedure If Hearing Is Requested.

If a petition for a hearing is filed, the probate court shall serve notice on the chief medical officer of the facility in which the patient is hospitalized and shall hold the hearing within five days unless the court grants a continuance for good cause. The patient, his representative, or the chief medical officer of the facility where the patient is hospitalized may apply for a change of venue for the convenience of parties or witnesses or because of the conditions of the patient. A change of venue may be ordered with the discretion of the court. The patient shall have a right to counsel, and the patient and his representative shall be informed of this right by the court. The hearing shall be held in as informal a manner as possible and in a setting which is not likely to have a harmful effect on the mental health of the patient. In the discretion of the court, the public may be excluded from the hearing and the patient need not be present if his attorney consents; in either of these events, however, the record shall reflect the reason for the court's action. The court shall receive all relevant testimony and evidence. The physician who executed the certificate of psychiatric evaluation, or his designee, shall be a witness but his testimony may be made by deposition, or with the consent of the patient or his attorney, or by affidavit. If the court concludes that the patient is mentally ill and that he is likely to injure himself or others if not hospitalized, the court shall order the patient to be transported to, or remain at a treatment facility where he may be admitted for care and treatment if adequate facilities are available to accept the patient in the opinion of the chief medical officer. The treatment facility may retain a patient admitted under this Section for a period not to exceed six months. If continued hospitalization is necessary at the end of that period, the chief medical officer shall apply for an order authorizing such continued hospitalization under Section 17.

Section 17. Procedure For Continued Hospitalization.

(a) If continued hospitalization of a patient is necessary, the chief medical officer shall, prior to the expiration of the period during which the treatment facility is authorized to retain the patient by the provisions of this chapter, apply for an order authorizing such continued hospitalization under the provisions of subsection (c).

(b) If the chief medical officer finds that continued hospitalization is necessary (1) for an individual who was admitted while serving a criminal sentence, but whose sentence is about to expire, or (2) for an individual who was hospitalized while under the jurisdiction of a juvenile court, but who is about to reach the age of 21, the chief medical officer may apply for an order authorizing such continued hospitalization under subsection (c) and the provisions of this Chapter shall apply fully to such patient after that time.

(c) (1) The chief medical officer may seek an order authorizing continued hospitalization by filing a petition therefor in the probate court in the county where the treatment facility is located and serving such petition on the patient and his representative. The petition shall contain a statement that (i) in the opinion of the chief medical officer the patient is in need for continued hospitalization (ii) the patient or his representative may file a request for a hearing with the court within 10 days after service of the chief medical officer's petition and that (iii) the patient has the right to counsel.

(2) If a hearing is not requested within 10 days of service of the petition on the patient and his representative, the court may order continued hospitali-

zation if satisfied that such hospitalization is necessary. Such order shall authorize the treatment facility to retain the patient for a period not to exceed one year.

(3) If a hearing is requested within 10 days of service of the petition on the patient and his representative, the probate court in the county where the treatment facility is located shall serve notice on the chief medical officer and shall set a time and place for the hearing to be held within 10 days of the time the request for hearing is received. Notice of the hearing shall be served on the patient and his representative. The court may grant a continuance for good cause. The patient or his representative may apply for a change of venue for the convenience of parties or witnesses. A change of venue may be ordered within the discretion of the court. The patient shall have a right to counsel. The patient and his representative shall be informed of this right by the court.

(d) The hearing shall be held in as informal a manner as possible and in a setting which is not likely to have a harmful effect on the mental health of the patient. In the discretion of the court, the public may be excluded from the hearing and the patient need not be present if his attorney consents; in either of these events, however, the record shall reflect the reason for the court's action. The court shall receive all relevant testimony and evidence. At least one physician attending the patient at the treatment facility shall be a witness but his testimony may be made by deposition, or, with the consent of the patient or his attorney, by affidavit. If the court concludes that the patient requires continued hospitalization, the court shall so order and the treatment facility shall there by be authorized to retain the patient for a period not to exceed one year.

Section 18. Power To Discharge Patient.

(a) At any time a patient is found by the chief medical officer no longer to meet the criteria for hospitalization the chief medical officer may (i) discharge the patient, unless the patient is under criminal charges, in which case he shall be placed in the custody of a peace officer duly authorized by law to take the patient into custody; or place an improved patient, except patients under a criminal charge, on convalescent status. Notice of the discharge or the transfer of status shall be given to the patient's representative and to the court which authorized his hospitalization.

(b) At any time a patient admitted under this chapter refuses to submit to medical or psychiatric treatment prescribed by a physician the chief medical officer may discharge the patient, unless the patient is under criminal charges, in which case he shall be placed in the custody of a peace officer duly authorized by law to take the patient into custody. Notice of the discharge shall be given to the patient and his representative and, if the patient's hospitalization was authorized by order of a court, to the court which entered such order.

Section 19. Convalescent Status; Rehospitalization.

A patient may be placed on convalescent status for a period of up to one (1) year. Notice of the patient's placement on convalescent status shall be given to his guardian or representative. Placement on convalescent status shall include provisions if necessary in the opinion of the chief medical officer, for continuing responsibility by a community facility, including a plan for treatment on an out-patient basis. The chief medical officer of the treat-

ment facility from which the patient is given convalescent status may, at any time during the continuance of such convalescent status, rehospitalize the patient when the condition of the patient requires.

Section 20. Authority of Department to Issue Regulations.

The Department is authorized and empowered to make such reasonable rules and regulations as may be necessary for the execution and enforcement of the provisions of this chapter.

Section 21. Admittance Only When Adequate Facility Available.

No person shall be accepted in any facility within the State of Alabama by the department unless the chief executive officer of that facility determines that adequate facilities are available and that acceptance therein will not result in an overcrowded condition.

Section 22. Costs; Payment By Residence County.

In each proceeding the court shall allow and order paid to any individual or institution as part of the costs thereof a reasonable fee and expenses for any professional services ordered performed by the court pursuant to this act other than those performed by any individual or institution under the jurisdiction of the state board of mental health. Other costs and fees shall be allowed and paid as are allowed by law for similar services in other cases. The costs shall be taxed to the estate of the patient, to those bound by law to support him or to the county of the residence of the patient as the court having venue shall direct. Any probate court receiving a statement of costs from another probate court shall forthwith approve the same for payment out of the general fund of its county except that it may refuse to approve the same for payment only on the grounds that the patient is not a resident of its county. In such case it shall transmit the statement of costs to the state department of mental health which shall determine the question of residence and certify its findings to each probate court. If the claim for costs is not paid within thirty (30) days after such certification, an action may be maintained thereon by the claimant county in the circuit court of the claimant county against the debtor county. The findings made by the state department of mental health as to the residence of the patient shall be applicable only to the assessment of costs. Any county of residence which pays from its general fund court costs to the probate court of another county may recover the same in any court of competent jurisdiction from the estate of the patient or from those bound by law to support him, unless the court shall find that the proceedings in which such costs were incurred were instituted without probable cause and not in good faith.

Section 23. Compelling Attendance of Witnesses.

The probate court may issue subpoenas for witnesses to appear in proceedings authorized by this chapter and on failure of the witnesses to attend may compel attendance in the manner provided by law.

Section 24. Private Facilities.

Any private facility within this state may be approved as a private emergency receiving facility, a private evaluating facility, or a private treatment facility by the department at the request of or with the consent of the governing officers of such private facility. When so approved, the private facility shall have all powers given to the corresponding type of facility under the

provisions of this chapter on voluntary admission, emergency admission, admission for evaluation, and involuntary or nonobjecting hospitalization, and shall have all duties and obligations of such facilities imposed by this chapter except that any such private facility may decline to accept any patient who is unable to pay for hospitalization in such private facility. The court may order or authorize a patient to be hospitalized in any such private facility under this chapter only with the prior agreement of such private facility to receive the patient, and with the approval of the patient and his representative.

Section 25. Validity of Prior Hospitalization Orders.

No hospitalization of a mentally ill person, lawful before the effective date of this Chapter, shall be deemed unlawful because of the enactment of this chapter. Such prior orders of hospitalization entered by the court, shall remain valid until one year following the effective date of this section, after which all such orders shall be null and void and of no effect.

Section 26. Expenses For Transporting and Examining Patients.

The responsibility for paying the expenses for transporting patients and the expenses for examining and caring for patients, shall be in the following order:

- (a) The patient or his estate;
- (b) Persons legally obligated or legally responsible for the support of the patient.
- (c) The county of the patient's legal residence.

Section 27. Effect Of An Order For Evaluation, Care And Treatment.

No order made pursuant to this chapter shall imply an adjudication of incompetency, nor shall such order create any presumption that the patient is an incompetent person.

Section 28. Unauthorized Absence; Procedure.

If any patient leaves the place of his care or treatment without the authority of the chief medical officer of the hospital, the chief medical officer may request that any peace officer take such patient into custody and transport him to such place as may be directed by the chief medical officer. The expense of such transportation shall be borne by such hospital.

PART VI—RIGHTS OF PATIENTS

Section 29. Protection of Patient's Right.

The individual dignity of the patient shall be respected at all times and occasions, including when the person is taken into custody, detained or transported. Except where required under conditions of extreme urgency, those procedures, facilities, vehicles, and restraining devices normally utilized for criminals or those accused of crime shall not be used in connection with the mentally ill. Mentally ill persons or those suspected of being mentally ill shall, to the maximum extent reasonably possible, be treated at all times as medical patients and their handling and treatment shall be under the supervision of a physician. Notwithstanding any other provision of law to the contrary, no person who is receiving or has received services for a mental disorder shall be

deprived of any civil, political, personal, or property rights without due process of law. No right or privilege granted by this chapter shall be denied any person.

Section 30. Right To Care And Treatment.

The policy of the state is that no person shall be denied care and treatment for mental disorder, and no services shall be denied at a facility of the state or a political subdivision of the state because of inability to pay.

Section 31. Quality Of Care And Treatment.

(a) Each patient in a facility and each person receiving services for mental disorders shall receive care and treatment that is suited to his needs and such care and treatment shall be administered skillfully, safely, and humanely with full respect for his dignity and personal integrity. In order to assure proper care and treatment, the chief medical officer of a facility shall require that each patient receive such medical attention as his condition demands and that, unless the patient or his representatives consent in writing, no treatment shall be given which is not recognized as standard psychiatric treatment.

(b) If a patient hospitalized under the provisions of this chapter is financially able to secure the services of a private physician, and wants to do so then he shall be allowed to consult with his physician at any reasonable time. The chief medical officer may be guided by the opinion of private consultant physician but the authority and responsibility for treatment shall remain with the chief medical officer.

(c) Every patient admitted to a facility under the provisions of this chapter shall be examined by the staff of the admitting facility within 24 hours of his admission.

Section 32. Mechanical Restraints.

Mechanical restraints shall not be applied to a patient unless it is determined by the chief medical officer to be required by the medical needs of the patient. Every use of a mechanical restraint and the reasons therefore shall be made a part of the clinical record of the patient and each such entry on the clinical record shall be signed by the chief medical officer, or his designee.

Section 33. Communication and Visits.

(a) The intent of this section is to enable each patient in a facility to communicate freely and privately with persons outside the facility unless such communication is likely to be harmful to the patient or others.

(b) Except as provided in subsections (c) through (e), each patient shall be allowed to receive, send and mail sealed, unopened correspondence and not patient's incoming or outgoing correspondence shall be opened, delayed, held or censored by the facility.

(c) If there is reason to believe that incoming or outgoing mail contains items or substances which may be dangerous to the patient or others, the chief medical officer may direct reasonable examination of such mail and may regulate the disposition of such items or substances found.

(d) If an injunction against communication by a patient is issued by a court, the chief medical officer shall restrict communication as provided by the order of the court:

(e) If the chief medical officer finds that the patient's mental condition demands restriction of communications, such communications may be restricted, except for correspondence with public officials, his designated representative or his attorney shall not be restricted.

(f) The circumstances surrounding the examination of any mail under subsection (c) or restriction of the communication under subsection (d) and (e) shall be recorded on the patient's clinical record.

(g) The chief medical officer is hereby authorized to establish reasonable regulations governing visitors, visiting hours and the use of telephones by patients.

Section 34. Care and Custody of The Personal Effects of Patients.

A patient's right to his personal effects shall be respected. The chief medical officer, or his designee, may take temporary custody of such effects when required for medical reasons. The facility shall make reasonable efforts to assure the safety of the patient's belonging, but no employee or staff member shall be responsible for loss of or damage to such property where reasonable safety precautions have been taken. Patients shall not be permitted to have valuable jewelry in their possession while a patient in a state facility without prior written authorization from the chief medical officer.

Section 35. Voting In Public Elections.

Each patient in a facility who is eligible to vote shall be given his right to vote in the primary and general elections, unless he has been adjudicated incompetent and has not been restored to legal capacity.

Section 36. Employment Outside the Facility.

If a patient wishes to be employed outside a facility and if such a employment will aid in the patient's treatment, he shall be assisted in his efforts to secure suitable employment and all benefits flowing from such employment.

Section 37. Education Of Children.

The right of any child under treatment in a facility to an education within the limits of his capability shall be fully respected.

Section 38. Confidentiality of Records.

A clinical record for each patient shall be maintained. The record shall include data pertaining to admission and such other information as may be required under regulations of the department. Unless waived by the patient and guardian or attorney, the privileged and confidential status of all information shall not be lost by disclosure of such information to any person, organization or agency. The clinical record shall not be a public record and no part of it shall be released except:

(1) Where the chief medical officer of the facility deems it essential for continued treatment, the record may be released to physicians;

(2) The record, or any part thereof, except for matter privileged, may be released in response to a duly issued subpoena to persons duly authorized by an order of a court of record.

(3) In connection with any hearing under the provisions of this chapter any physician who is treating or who has treated the patient shall be authorized to give evidence as to any matter concerning the patient except for communications privileged as to which the privilege has not been effectively waived. Nothing contained in this section shall be taken to render admissible in court any matter which would otherwise be excluded.

(4) The record or any part thereof may be disclosed to a qualified researcher authorized by the chief medical officer to receive such information, a staff member of a facility, an employee of the department when the chief medical officer deems it necessary for the treatment of the patient, maintenance of adequate records, compilation of treatment data or evaluation of programs. Information from clinical records may be used for statistical and research purposes if the information is abstracted in such a way as to protect the identity of individuals.

Section 39. Judicial Supervision.

(a) At any time and without notice, a person detained by a facility or a relative or friend on behalf of such person may petition, as provided by law, for a writ of habeas corpus to question the cause and legality of detention and to request the court on its own initiative to issue a writ for release.

(b) A patient or his representatives may file a petition in the probate court in the county where the patient is hospitalized, alleging that the patient is being unjustly denied a right or privilege granted by this chapter or that a procedure authorized by this chapter is being abused. Upon the filing of such a petition, the court shall have the authority to conduct a judicial inquiry and to issue any appropriate order to correct any abuse of the provisions of this chapter.

Section 40. Right to Legal Counsel.

Every patient shall be given the opportunity to secure legal counsel to represent him in connection with private, personal, domestic, business, civil, criminal, and all other legal matters in which he may be involved during hospitalization. However, nothing contained herein shall obligate the department to make arrangements for obtaining legal counsel or for the payment of attorney fees for any patient.

Section 41. Transportation.

If neither the patient nor any person legally obligated or responsible for the patient is able to pay for the expense of transporting the patient pursuant to court order, the governing authority of the county shall arrange for required transportation of the patient. Whenever possible, marked vehicles normally used for the transportation of criminals or those accused of crime shall not be used for the transportation of patients. Whenever possible, regular street clothing shall be worn by persons transporting patients. At any time the court is satisfied that the patient can be transported safely by family members or friends, such private transportation shall be encouraged and authorized. No female patient shall be transported at any time without another adult female, who is not a patient in attendance, unless such female patient is accompanied by her husband, father, adult brother or adult son.

Section 42. Notice.

(a) When a patient is admitted to any facility, he shall preferably be accompanied by his next of kin or closest relative, guardian or adult friend. If none of these are able to accompany the patient, the name and address of a representative shall be entered in the patient's clinical record and notice of the patient's admission shall be given to the representative in writing. If the admission is to an emergency receiving facility, notice shall also be given by that facility to the patient's representative by telephone.

(b) If the facility is unable to secure a representative after diligent search, that fact shall be entered in the patient's clinical record, and the facility may apply to the probate court for the appointment of a guardian. On application of any person or on its own motion, the court may also appoint a guardian ad litem for a patient for whom a representative has been named whenever the appointment of a guardian ad litem is deemed necessary for protection of the patient's rights. Such guardian ad litem shall act as representative of the patient on whom notice is to be served under the provisions of this Chapter, and shall have the powers granted to representatives by this Chapter.

(c) Unless otherwise provided, notice may be served in person or by first class mail. When notice is served by mail, a record shall be made of the date and hour of mailing, signed by the person who placed the notice into the custody of the United States Post Office Department, and shall be placed in the patient's clinical record. Service shall be completed upon mailing. The date on which notice is given shall be entered on the patient's clinical record.

(d) When there is a substantial risk that a person alleged to be mentally ill may cause physical harm to other persons as manifested by evidence of homicidal or other violent behavior or evidence that others are placed in reasonable fear of violent behavior and serious physical harm to them; or a very substantial risk of physical impairment or injury to the person himself as manifested by evidence of threats of or attempts at, suicide or serious bodily harm, the probate judge may, upon affidavit of two (2) persons who have actual knowledge of the circumstances of the case that the above criteria are met, waive the giving of notice of any hearing and may exclude the presence of the alleged mentally ill person from any proceeding under this Chapter. In any case in which a person is to be excluded from a hearing or denied notice, the judge of said court shall state his reason therefor in writing in the court file and cause the affidavits as required by this Section to become part of the court file. The court shall notify the persons representative who must be present at the hearing and a guardian ad litem shall be appointed to represent the person alleged to be mentally ill.

Section 43. Appeal.

The patient, his representative, or his attorney may appeal any order of the probate court rendered in a proceeding under this Chapter to the circuit court of the county in which the proceeding was held. Such appeal must be filed within 10 days of the entry of the order complained of and the patient must pay all costs or must make an affidavit that he is unable to pay costs. The appeal shall be made in the same manner as other appeals from the probate court to the circuit court, where the issue may be submitted to a jury as in other cases before that court, with further rights of review as now or hereinafter are provided by law.

Section 44. Exemptions From Civil And Criminal Liability.

Any physician, judicial officer, peace officer, attorney, health officer, or hospital officer, agent or employee, whether employed by a private hospital or at hospital or other facilities operated by or with the approval of the department of mental health, who acts in good faith in compliance with the provision of this chapter, shall be immune from civil or criminal liability for his actions in connection with the admission of a person to a facility, care and custody of a person at a facility, or the discharge of a person from a facility.

Section 45. Repealer.

All laws or parts of laws, local, general or special in conflict with this Act are hereby specifically repealed. However, nothing in this Act shall be construed so to repeal Code of Alabama 1940, Chapter 21, which provides for the criminally insane, or Act No. 881, enacted at the 1965 Regular Session of the Legislature, (Acts 1965 p. 1649) except section 13a thereof which section is specifically repealed.

Section 46. Severability.

The provisions of this Act are hereby declared to be severable. Should any section or provision hereof be held invalid or unenforceable by a court of competent jurisdiction, said holding shall not invalidate or render unenforceable the remaining provisions or sections hereof.

Section 47. Effective Date.

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 48; Nays 0.

Yeas:

Messrs.:	Cottingham	Hobbie	Roberts
Adams	Cross	King	Robertson
Agee	Culver	McCluskey	Smith (K)
Bank	Downing	McDonald	Smith (P)
Barkett	Edwards	McMillan	Snell
Barron	Ellis	Manley	Stewart
Brassell	Erdreich	May	Therrell
Callahan	Flippo	Mims	Turner
Carnes	Gafford	Nettles	Waldrop
Carter	Grainger	Parker	Williams
Casey	Gray (F)	Porter	Wood
Chesnut	Hill	Pruitt	Wynot
Connell			

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill, H. 1035 as thus amended, was read a third time at length and passed.

Yeas 53; Nays 2.

Yeas:

Messrs.:	Cottingham	Hardin	Roberts
Adams	Crawford	Hill	Smith (K)
Bank	Cross	Hughes	Smith (P)
Barkett	Culver	King	Snell
Barron	Downing	Lang	Therrell
Boles	Easters	Lutz	Turner
Boutwell	Edwards	McCluskey	Turnham
Brassell	Ellis	Manley	Waggoner
Callahan	Falkenburg	Mathews	Warren
Carnes	Fite	Mims	Weeks
Carter	Flippo	Nettles	Williams
Casey	Goodwin	Porter	Wood
Chesnut	Grainger	Pruitt	Wynot
Connell	Grey (D)		

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Nays: Messrs. Cauthen and Taylor.

—2

RULE SUSPENDED

On motion of Mr. Casey, Rule 4(4) was suspended to permit the bill, H. 1035, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1035, was ordered sent forthwith to the Senate without engrossment.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Turnham and Wood:

H. J. R. 256. COMMENDING MR. P. LYNCH WHATLEY.

WHEREAS, the late Mr. P. Lynch Whatley was an outstanding member of his community, and of this State; and

WHEREAS, Mr. P. Lynch Whatley was a graduate of Auburn University, a family man, farmer, farm leader, church member and worker, a civic and community leader, and a long time member of the Lee County Board of Education; and

WHEREAS, the Legislature of this State wishes to publicly recognize and commend such an outstanding citizen; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the late Mr. P. Lynch Whatley, of Lee County, be commended for his service to his community, to this State and to her people, and for his outstanding and exemplarily citizenship.

RESOLVED FURTHER, That a copy of this resolution be sent to Mr. Whatley's family.

On motion of Mr. Turnham, the rules were suspended and the resolution, H. J. R. 256, was adopted.

Also:

By Mr. Turnham:

H. J. R. 257. COMMENDING MAC LORENDO OF THE AUBURN UNIVERSITY FOOTBALL TEAM ON HIS OUTSTANDING COLLEGE FOOTBALL CAREER.

WHEREAS, Mac Lorendo of Auburn, Alabama, who was elected co-captain of the 1972 Auburn University football team performed brilliantly throughout his college football career; and

WHEREAS, he overcame the severe pressure of performing in his hometown and had the unique experience of being coached by his father, Coach Gene Lorendo, who is Auburn's offensive co-ordinator; and

WHEREAS, Mac Lorendo was an outstanding offensive tackle and team leader who won many honors for his great play. He was selected a member of the Associated Press's all SEC sophomore team in 1970 and on both the Associated Press and the United Press International's all SEC first team for 1971. He was also recognized as a member of numerous All-American teams; and

WHEREAS, he used his keen mind to advantage in the classroom and ranked high scholastically in his major field of Engineering. Mac Lorendo is an outstanding example of how an individual can use college football to gain advantage in the field of education; and

WHEREAS, this outstanding young man has brought great honor to himself and this state by his excellent conduct and talent; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend our congratulations to Mac Lorendo co-captain of the 1972 Auburn University football team for his outstanding college career and wish him much success in his future endeavors.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Mac Lorendo.

On motion of Mr. Turnham, the rules were suspended and the resolution, H. J. R. 257, was adopted.

**REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS**

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1268. Relating to Henry County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act.

Also:

H. 1307. To amend Section 2, Title 22, Code of Alabama 1940, as amended and add Sections 2(a), 2(b), 2(c), 2(d), 2(e), which sections relate to the State Board of Health, and the State Committee of Public Health so as to further regulate the same.

Also:

H. 339. To make an appropriation to the department of agriculture and industries for the two fiscal years ending September 30, 1974 and September 30, 1975, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera and African swine fever.

Also:

H. 1678. To authorize and direct the Commissioner of Conservation and Natural Resources for One Dollar (\$1.00) to execute and deliver on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama and certain other real property to the Mobile County Board of School Commissioners; and to provide for the relinquishment of certain rights in a certain part of such property by the Mobile County Board of School Commissioners.

Also:

H. 1682. To transfer the historic property known as the Powder Magazine owned by the Finance Department of the State of Alabama to the City of Montgomery.

Also:

H. 1401. To amend Act Number 755 of the Regular Session of the Legislature of 1967 as amended by Act 1943 of the 1971 Regular Session of the Legislature relating to Supernumerary Tax Assessors, Collectors, License Commissioners and other officials by changing their requirements, qualifications and compensation.

Also:

H. 566. Relating to the thirty-seventh judicial circuit; providing for additional circuit court judge in such circuit.

Also:

H. 114. To authorize and provide for the payment out of the general fund in the state treasury of a gratuity to each member of the armed services from this State who was a prisoner of war in Vietnam; to provide for the administration of this Act by the State Department of Veterans Affairs.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length hav-

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ing been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the House Bill:

H. 620. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.) entitled as amended "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the most recent federal decennial census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority to any county in which any such city may be located."

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Cook, King and Hawkins.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Bank, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 680.

And the bill:

H. 680. To provide that persons employed in county health departments under provisions of the merit system council for county departments of public health shall be covered under the provisions of the State Merit System; to provide a transfer date; to provide for exceptions; to provide for severability; and to provide an effective date.

Was read a third time at length and passed.

Yeas 65; Nays 1.

Yeas:

Messrs.:	Barron	Brassell	Cauthen
Adams	Benton	Callahan	Chesnut
Agee	Boles	Carnes	Connell
Bank	Boutwell	Carter	Crawford
Barkett	Bowers	Casey	Cross

Downing	Hale	McMillan	Smith (P)
Drake	Hardin	Manley	Snell
Easters	Headley	May	Stewart
Edwards	Hill	Mims	Stubbs
Ellis	Hughes	Parker	Taylor
Erdreich	Jackson	Porter	Therrell
Falkenburg	King	Pruitt	Turnham
Fite	Lang	Roberts	Warren
Flippo	Lutz	Robertson	Weeks
Gafford	McBride	St. John	Williams
Goodwin	McCluskey	Smith (K)	Wood
Grainger	McDonald		

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Nay: Mr. Waldrop.

—1

RULE SUSPENDED

On motion of Mr. Bank, Rule 4(4) was suspended to permit the bill, H. 680, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 680, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Bank, the rules were suspended in order to take up for immediate consideration from the Special Order Calendar, the third reading of the bill, H. 673.

And the bill:

H. 673. (With Amendment): To amend Act No. 582 of Regular Session, 1963, (Acts 1963, Pg. 1266), pertaining to ionizing radiation control by adding a prohibition of announcing inspections, by adding civil penalties, by adding criminal penalties, by adding the posting of bonds, by providing for the delegation of authority, by designating the Radiation Control Agency for the purposes of the Federal Occupational Safety and Health Act of 1970, P. L. 91-596, by establishing the Radiation Reclamation Fund and providing for appropriations therefrom.

Was read a third time at length and passed.

Yeas 61; Nays 0.

Yeas:

Messrs.:	Chesnut	Goodwin	Manley
Adams	Connell	Grainger	Mathews
Agee	Cottingham	Grey (D)	May
Bank	Crawford	Hardin	Mims
Barkett	Cross	Headley	Parker
Barron	Culver	Hughes	Porter
Boutwell	Downing	Jackson	Pruitt
Brassell	Drake	King	Roberts
Callahan	Edwards	Lang	Robertson
Carnes	Ellis	Lutz	St. John
Carter	Erdreich	McCluskey	Smith (K)
Casey	Fite	McDonald	Smith (P)
Cauthen	Flippo	McMillan	Snell

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Stewart	Turner	Warren	Williams
Stubbs	Waldrop	Weeks	Wood
Therrell	Wallace		

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RULE SUSPENDED

On motion of Mr. Bank, Rule 4(4) was suspended to permit the bill, H. 673, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 673, was ordered sent forthwith to the Senate without engrossment.

H. 612 INDEFINITELY POSTPONED

On motion of Mr. Grainger, the bill, H. 612, was indefinitely postponed.

Yeas 38; Nays 14.

Yeas:

Messrs.:	Culver	Jackson	Reynolds
Agee	Downing	King	Roberts
Barron	Ellis	Lutz	Smith (P)
Boles	Fite	McBride	Stewart
Boutwell	Gafford	McCluskey	Stubbs
Brassell	Goodwin	Mathews	Waggoner
Carnes	Grainger	Merrill	Waldrop
Casey	Grey (D)	Mims	Wallace
Chesnut	Hardin	Porter	Wood
Crawford	Hughes	Reid (R)	

—38

Nays:

Messrs.:	Cauthen	Hale	Parker
Adams	Connell	Headley	Therrell
Barkett	Cottingham	Lang	Turner
Benton	Flippo	Nettles	

—14

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Downing, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 249.

And the bill:

H. 249. Relating to automobile license tags; authorizing the secretary of the USS Alabama Battleship Commission to use a special tag number.

Was read a third time at length and passed.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Carnes	Cross	Gafford
Adams	Carter	Culver	Goodwin
Agee	Casey	Doss	Grainger
Barkett	Chesnut	Downing	Gray (F)
Benton	Collins	Edwards	Grey (D)
Boles	Connell	Erdreich	Hale
Callahan	Cottingham	Fite	Hardin
Brassell	Crawford	Flippo	Headley

Hill	McCorquodale	Pruitt	Stubbs
Hobbie	McMillan	Reid (R)	Timmons
Hughes	Mathews	Reynolds	Waggoner
Jackson	May	Roberts	Waldrop
King	Merrill	Robertson	Wallace
Kinsey	Mims	Smith (K)	Warren
Lutz	Parker	Smith (P)	Williams
McBride	Perloff	Stewart	Wynot

RULE SUSPENDED

On motion of Mr. Downing, Rule 4(4) was suspended to permit the bill, H. 249, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 249, was ordered sent to the Senate without engrossment.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Waldrop and Carnes:

H. J. R. 258. COMMENDING SAM G. NORRIS AND EXPRESSING THE GOOD WISHES OF THE LEGISLATURE UPON HIS RETIREMENT.

WHEREAS, Sam G. Norris, the District Supervisor in the Gadsden Vocational Rehabilitation Service, retired on July 31, 1973 after a 35 year career in education; 24 of the years spent in rehabilitation; and

WHEREAS, Mr. Norris a native of Fayette County, Alabama, received his B.S. degree from Auburn University in 1934. He joined VRS in April, 1949, when he came to the Gadsden office as a rehabilitation counselor. He was named district supervisor in 1967; and

WHEREAS, Mr. Norris started his career in July 1934, in Union County, N.C., as a vocational agriculture teacher. From August, 1941, to October 1945 he served in the U.S. Army and Air Force during World War II; and

WHEREAS, After military service Mr. Norris taught vocational agriculture in Slocomb, Alabama, and then supervised veterans training in vocational agriculture in Geneva, Alabama; and

WHEREAS, Mr. Norris has been a member of the board of directors of Fellowship House, Council of Community Services, the Head Start Program, and Anchor, a community service agency; and

WHEREAS, he has also been a member and served as president of the Etowah County Mental Health Association, Etowah County TB Association, and the Etowah County Society for Crippled Children and Adults; and

WHEREAS, Mr. Norris helped develop Darden Rehabilitation Center, one of the first rehabilitation centers established in Alabama; and

WHEREAS, the Legislature of Alabama wishes to commend such an outstanding citizen as Sam G. Norris and express its good wishes upon his retirement; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mr. Sam G. Norris be commended and congratulated for his outstanding years of service to the field of education and rehabilitation, to this state, and its citizens; and further that the good wishes of this body be extended to him upon his retirement from that outstanding career.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Mr. Norris.

On motion of Mr. Waldrop, the rules were suspended and the resolution, H. J. R. 258, was adopted.

Also:

By Messrs. Waldrop and Carnes:

H. J. R. 259. COMMENDING CERTAIN GADSDEN STATE JUNIOR COLLEGE STUDENTS ON WINNING OUTSTANDING NATIONAL HONORS.

WHEREAS, Pi Omicron Chapter of the Phi Beta Lambda at Gadsden State Junior College won top honors at the National Leadership Conference held at the Sheraton-Park Hotel in Washington, D. C.; and

WHEREAS, this chapter received the Hamden L. Forkner Award, which is the highest honor that can be received by a chapter of Phi Beta Lambda and was received in competition with colleges and universities from 39 states. The award being presented as evidence of the chapter's outstanding program of achievement for the current academic year; and

WHEREAS, the chapter was also awarded the Gold Seal Chapter Award of Merit which goes to those chapters who have outstanding activity programs and projects and who conduct their business in a commendable manner; and

WHEREAS, this chapter placed eighth nationally in the Most Original Project competition; and

WHEREAS, in the previous month this chapter won at the state level 9 of the 10 awards, including best club, state president and secretary; and

WHEREAS, those attending the conference in Washington, D. C. were Steve Johnson, local and state president of Arab; Phyllis Bumpus, local and state secretary, Jacksonville; Sylvia Edgar, Guntersville; Garry Magouirk and Beth Nance, Ohatchee; Clement Osbourn, Collinsville; Mike Vinyard and Randy Walker, Gadsden; and Felicia Boomer, Attalla. The group was accompanied by J. L. Walker, Jr., faculty adviser, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do heartily congratulate Pi Omicron Chapter of Phi Beta Lambda at Gadsden State Junior College for winning these outstanding awards and they do wish them many future successes in their endeavors.

BE IT FURTHER RESOLVED, That the Clerk of the House send copies of this resolution to each of the persons named above.

On motion of Mr. Waldrop, the rules were suspended and the resolution, H. J. R. 259, was adopted.

REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL 1207

We, the committee of conference appointed to reconcile the differences between the two houses concerning the Bill, H. B. 1207, have met and considered the matter referred and beg to leave to report that we concur with the Senate amendment.

Conferees on the part of the HOUSE:

DRAKE BOUTWELL
BOB ADWELL
CHRIS DOSS

Conferees on the part of the SENATE:

GEORGE L. BAILES, JR.
JOHN HAWKINS
EDDIE HUBERT GILMORE

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Boutwell, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 1207, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jackson	Roberts
Boles	Erdreich	King	Robertson
Brassell	Fite	Lutz	Smith (K)
Callahan	Gafford	McMillan	Smith (P)
Carnes	Goodwin	Mathews	Stewart
Carter	Grainger	May	Stubbs
Chesnut	Gray (F)	Nettles	Therrell
Collins	Hardin	Parker	Turner
Connell	Headley	Porter	Waldrop
Cottingham	Hobbie	Reid (R)	Williams
Cross	Hughes	Reynolds	Wynot
Downing			

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

H. 1207. To amend Section 4.06 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, Approved September 9, 1955, (Acts of 1955, Page 1004), as amended, providing a Mayor-Council form of government for cities having a population of 300,000 inhabitants or more according to the last or any subsequent Federal Census.

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As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 45; Nays 0.

Yeas:

Mr. Speaker	Erdreich	Lutz	Smith (K)
Brassell	Fite	McDonald	Smith (P)
Callahan	Gafford	McMillan	Stewart
Carnes	Goodwin	Mathews	Taylor
Carter	Grainger	May	Therrell
Chesnut	Gray (F)	O'Daniel	Turnham
Collins	Grey (D)	Porter	Waldrop
Connell	Hobbie	Reynolds	Wallace
Cottingham	Hughes	Roberts	Williams
Cross	Jackson	Robertson	Wood
Doss	King	St. John	Wynot
Downing			

—45

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Easters, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 717.

And the bill:

H. 717. Relating to state sales taxes, further amending Section 1 of Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, so as to exclude, by definition, from the computation of the tax, certain costs of transportation charged by vendors who use their own transportation equipment for delivering tangible personal property sold by them, subject to certain conditions.

Was read a third time at length and passed.

Yeas 46; Nays 0.

Yeas:

Messrs.:	Crawford	Headley	Reynolds
Agee	Cross	Hobbie	Roberts
Barkett	Downing	Hughes	St. John
Boles	Easters	Jackson	Smith (K)
Bowers	Edwards	Jones (F)	Smith (P)
Brassell	Ellis	King	Stubbs
Callahan	Fite	Lutz	Taylor
Carnes	Goodwin	McDonald	Therrell
Carter	Grainger	Mathews	Turner
Chesnut	Gray (F)	May	Wallace
Connell	Grey (D)	Nettles	Wynot
Cottingham	Hardin	O'Daniel	

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Mr. Easters, Rule 4(4) was suspended to permit the bill, H. 717, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 717, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Easters, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 716.

And the bill:

H. 716. Relating to state use taxes, further amending Code of Alabama 1940, Title 51, Section 787, as amended, so as to exclude, by definition, from the computation of the tax, certain costs of transportation charged by vendors who use their own transportation equipment for delivering tangible personal property sold by them, subject to certain conditions.

Was read a third time at length and passed.

Yeas 50; Nays 0.

Yeas:

Messrs.:	Cross	Headley	Pruitt
Agee	Downing	Hobbie	Reynolds
Barkett	Easters	Hughes	Roberts
Boles	Edwards	Jackson	St. John
Bowers	Ellis	Jones (F)	Smith (K)
Brassell	Fite	King	Smith (P)
Callahan	Flippo	Lutz	Stubbs
Carnes	Gafford	McDonald	Taylor
Carter	Goodwin	Mathews	Therrell
Chesnut	Grainger	May	Turner
Connell	Gray (F)	Mims	Wallace
Cottingham	Gray (D)	Nettles	Wynot
Crawford	Hardin	O'Daniel	

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PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

RULE SUSPENDED

On motion of Mr. Easters, Rule 4(4) was suspended to permit the bill, H. 716, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

REGULAR SESSION
34th Day

5009

And the bill, H. 716, was ordered sent forthwith to the Senate without engrossment.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Mathews, the rules were suspended in order to take up for immediate consideration the third reading of the bill, H. 1839.

And the bill:

H. 1839. (With Amendment): Relating to circuit courts; authorizing the employment of confidential assistants to provide secretarial and other services for circuit judges in the state; prescribing the method of appointment, duties and compensation of said confidential assistants; providing for the purchase of equipment, etc.; and appropriating funds from the state treasury for such compensation and purchases of equipment.

Was taken up.

The question was then on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 1839 by striking Section 3, in its entirety and re-numbering the subsequent sections.

And the amendment was adopted.

Yeas 55; Nays 0.

Yeas:

Messrs.:	Crawford	Headley	Roberts
Agee	Cross	Hobbie	Robertson
Barkett	Doss	Jackson	St. John
Boles	Downing	King	Smith (K)
Boutwell	Easters	Lutz	Smith (P)
Bowers	Edwards	McDonald	Stubbs
Brassell	Ellis	Manley	Taylor
Callahan	Fite	Mathews	Therrell
Carnes	Flippo	May	Turner
Carter	Goodwin	Mims	Wallace
Chesnut	Grainger	O'Daniel	Warren
Collins	Gray (F)	Pruitt	Weeks
Connell	Grey (D)	Reid (R)	Williams
Cottingham	Hardin	Reynolds	Wynot

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And the bill, H. 1839 as thus amended, was read a third time at length and passed.

Yeas 53; Nays 0.

Yeas:

Messrs.:	Carnes	Cross	Goodwin
Agee	Carter	Doss	Grainger
Boles	Chesnut	Downing	Gray (F)
Boutwell	Collins	Edwards	Grey (D)
Bowers	Connell	Ellis	Hardin
Brassell	Cottingham	Fite	Headley
Callahan	Crawford	Flippo	Hobbie

Jackson
Jones (F)
King
Lutz
McDonald
Manley
Mathews

May
Mims
Nettles
O'Daniel
Pruitt
Reynolds
Roberts

Robertson
Smith (K)
Smith (P)
Stubbs
Taylor
Therrell

Turner
Wallace
Warren
Weeks
Williams
Wynot

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RULE SUSPENDED

On motion of Mr. Mathews, Rule 4(4) was suspended to permit the bill, H. 1839, being other than a local or general bill of local application, to be sent to the Senate without engrossment.

And the bill, H. 1839, was ordered sent forthwith to the Senate without engrossment.

PRESENCE OF A QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 313. To name the fieldhouse at Ohatchee High School located in Calhoun County in honor of S. Gerald Acker.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pelham:

S. J. R. 117. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Wednesday, September 5, 1973, and when they adjourn on Wednesday, September 5, 1973, they adjourn to meet again on Friday, September 14, 1973.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The resolution, S. J. R. 117, set out in the above and foregoing Message from the Senate, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1136. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$2,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority."

Also:

H. 1138. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$2,000,000 in aggregate principal amount.

Also:

H. 1309. To make a conditional supplemental appropriation to the Department of Public Safety for the fiscal years ending September 30, 1974 and September 30, 1975.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 734. To amend Title 45, Section 144, Alabama Code, 1940, as amended, providing a daily prisoner meal allowance, so as to provide for an increase in such allowance.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Cook:

S. 944. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Vestavia Hills, Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To add to the land limits of the City of Vestavia Hills in Jefferson County, Alabama, by removing certain area now part of Jefferson County, Alabama, and adding same to the land limits of the City of Vestavia Hills, and to describe the area so removed from Jefferson County, Alabama, and so added to the City of Vestavia Hills.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Vestavia Hills in Jefferson County, Alabama, are altered, rearranged and extended to include within the corporate limits of said City the parcel of land hereinafter described, and the boundaries of Jefferson County, Alabama, are altered and rearranged to exclude from said County's jurisdiction and control the said parcel described as follows:

A portion of property embraced in a Survey of Waldrige Terrace, situated in Sections 30 and 31, Township 18 South, Range 2 West, Jefferson County, Alabama, as recorded in Map Book 14, Page 33, in the Office of the Judge of Probate of Jefferson County, Alabama, and being more particularly described as follows:

PARCEL 1: Begin at the NW corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2 West, and run in an easterly direction along the northerly line of said SW $\frac{1}{4}$ or SW $\frac{1}{4}$ to the NE corner of Lot 26, in Block 3, according to said Survey of Waldrige Terrace; thence in a southerly direction along the westerly line of Lots 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16, in said Block 3, to the SW corner of said Lot 16, thence in an easterly direction along the southerly line of said Lot 16 and the prolongation thereof to the SW corner of Lot 4, in Block 5, of said survey; thence in an southerly direction along the westerly line of Lots 5 and 6, in said Block 5, to the SW corner of said Lot 6; thence in an easterly direction along the northerly line of Merryvale Road (formerly Washington Avenue) to the Old Montgomery Highway, in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 30; thence in a southwesterly and southeasterly direction along the Old Montgomery Highway to the

intersection of said Old Montgomery Highway and Rose Avenue, in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, Township 18 South, Range 2 West; thence in a southwesterly direction along the southeasterly line of Lot 11, in Block 13, of said survey, to the SW corner of said Lot 11; thence in a northwesterly direction along the southwesterly line of lots 11, 10, 9, 8, 7, 6, 5, and 4, in said Block 13, to Malibu Place (formerly Pine Street); thence in a northerly direction along Mailbu Place to the SE corner of Lot 20, in Block 11, of said survey; thence in a westerly direction along the southerly line of said Lot 20 to the SW corner of same; thence in a northerly direction along the easterly line of Lots 20, 21, 22, 23, and 24, in said Block 11, to Pearl Avenue; thence in a westerly direction along Pearl Avenue to the westerly line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, Township 18 South, Range 2 West; thence in a northerly direction along the westerly line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 31 and the westerly line of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2 West, to the SW corner of Lot 4, in Block 9, of said survey; thence in an easterly direction along the southerly line of Lot 4, in said Block 9, and the southerly line of Lot 4, in Block 8, of said survey, to the SE corner of Lot 4, in said Block 8; thence in a northerly direction along the easterly line of Lots 4, 3, 2 and 1, in said Block 8, to Merryvale Road; thence in an easterly direction along Merryvale Road to the SE corner of Lot 14, in Block 2, of said survey; thence in a northerly direction along the easterly line of Lots 14, 15, 16, in said Block 2, to the NE corner of said Lot 16; thence in a westerly direction along the northerly line of said Lot 16 to the NW corner of same; thence in a northerly direction along the easterly line of Lots 10, 9, 8, 7, 6, 5, 4 and 3, in Block 2, of said survey, to the NE corner of said Lot 3; thence in a westerly direction along the northerly line of said Lot 3 to Post Oak Road (formerly Walnut Street); thence in a southerly direction along Post Oak Road to the SE corner of Lot 8 in Block 1, of said survey; thence in a westerly direction along the southerly line of said Lot 8 to the westerly line of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2 West; thence in a northerly direction along the westerly line of said SW $\frac{1}{4}$ or SW $\frac{1}{4}$ to the point of beginning.

PARCEL 2: A portion of Block 4, according to a Survey of Waldrige Terrace, lying in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2 West, Jefferson County, Alabama, as recorded in Map Book 14, Page 33, in the Office of the Judge of Probate of Jefferson County, Alabama, and being more particularly described as follows:

Begin at a point on the northerly line of Lot 13, in Block 4, according to said survey, said point being 105 feet west of the Old Montgomery Highway; thence run in a southerly direction along a line 105 feet from and parallel to the Old Montgomery Highway a distance of 350 feet to a point on Lot 7, in Block 4, of said survey; thence in an easterly direction to said Old Montgomery Highway; thence in a northerly direction along said Old Montgomery Highway to the northerly line of Lot 13, in said Block 4; thence in a westerly direction along the northerly line of said Lot 13 to the point of beginning.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF JEFFERSON

On this 3rd day of August A.D. one-thousand nine hundred and 73 personally appeared before me, a Notary Public in and for the County and State

aforesaid Arthur P. Cook who being duly sworn according to law, declares that he is President of Sun Papers Inc., a newspaper published in the City of Homewood, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, will appear in The Shades Valley Sun on the following dates:

August 1, 1973
August 8, 1973
August 22, 1973
August 15, 1973

Signed ARTHUR P. COOK

Subscribed and sworn to before me this 3rd day of August A.D. 1973.

CHARLES E. THOMAS,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 944. Local Legislation No. 2.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills herein-after mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 9:30 A.M. on August 30, 1973.

H. 1732
H. 1684
H. 1880
H. 1845
H. 1747
H. 1730
H. 1746
H. 1801
H. 1803
H. 1809
H. 1807
H. 892
H. 1615
H. 1621
H. 1780
H. 1868
H. 1886
H. 1824
H. 1556

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H. 1445
H. 1654
H. 1779
H. 1888
H. 1916
H. 1362
H. 1485
H. 1836
H. 1828
H. 1901
H. 401
H. 411
H. 273
H. 292
H. 1818
H. 1596
H. 1575
H. 1706
H. 1400
H. 1456
H. 1752
H. 1671
H. 1817
H. 1843
H. 314

Delivered to the Governor at 2:15 P.M. on August 30, 1973.

H. 1792

Delivered to the Governor at 3:10 P.M. on August 30, 1973.

H. 1300

Delivered to the Governor at 5:45 P.M. on August 30, 1973.

H. 1955
H. 1956
H. 1957
H. 1958
H. 1959
H. 1960
H. 1961
H. 1962
H. 1963
H. 1964
H. 1965
H. 1966
H. 1967
H. 1968
H. 1969
H. 1196
H. 2044
H. 2065
H. 1876
H. 2064
H. 2046

H. 2047
H. 2060
H. 1941
H. 1926
H. 1927
H. 1928
H. 1929
H. 1992
H. 1991
H. 1990
H. 1989
H. 1988
H. 1987
H. 400
H. 243
H. 1114
H. 516
H. 517
H. 518
H. 1059
H. 1060
H. 2
H. 120
H. 118
H. 1109
H. 1110
H. 1112
H. 1113
H. 1108
H. 1111
H. 1949
H. 1948
H. 1947
H. 1946
H. 1945
H. 1944
H. 1943
H. 1942
H. 2002
H. 2000
H. 1999
H. 1998
H. 1997
H. 1996
H. 1995
H. 1994
H. 1993
H. 1970
H. 1971
H. 1972
H. 1973
H. 1974
H. 1975
H. 1976
H. 1977

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H. 1954
H. 1953
H. 1952
H. 1951
H. 1950
H. 1983
H. 1982
H. 1981
H. 1980
H. 1979
H. 1978
H. 2028
H. 1275
H. 1740
H. 2025
H. 2057
H. 2066
H. 2006
H. 2007
H. 2005
H. 2075
H. 2072
H. 2050
H. 1454
H. 1893
H. 1894
H. 2022
H. 2040
H. 1920
H. 1874
H. 442
H. 1986
H. 1985
H. 1984
H. 2008
H. 2009
H. 2010
H. 2011
H. 2012
H. 2013
H. 2014
H. 2015
H. 2016
H. 2017
H. 2018
H. 2019
H. 2020
H. 2001
H. 1930
H. 1931
H. 1932
H. 1933
H. 1934
H. 1935
H. 1936

H. 1937
H. 1938
H. 1939
H. 1940
H. 2021
H. 2003
H. 2004
H. 1081
H. 111
H. 644
H. 1061
H. 1049
H. 635
H. 639
H. 2030
H. 1128
H. 1526
H. 1791
H. 1693
H. 1132
H. 1023
H. 285
H. 1248
H. 985
H. J. R. 166
H. J. R. 179
H. J. R. 183
H. J. R. 192
H. J. R. 194
H. J. R. 197
H. J. R. 202
H. J. R. 203
H. J. R. 204
H. J. R. 205
H. J. R. 206
H. J. R. 214
H. J. R. 212
H. J. R. 213
H. J. R. 215
H. J. R. 216
H. J. R. 217
H. J. R. 225
H. J. R. 226
H. J. R. 227
H. J. R. 231
H. J. R. 241
H. 756
H. 1268
H. 1307
H. 339
H. 1678
H. 1682
H. 1401

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35th Day

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H. 566
H. 114

JOHN W. PEMBERTON,
Clerk.

BILLS INDEFINITELY POSTPONED

On motion of Mr. Smith (P), all House bills remaining on the Calendar at the close of the thirty-fourth legislative day, were indefinitely postponed.

ADJOURNMENT

Mr. Fite moved that the House adjourn until 10:00 o'clock a.m., Wednesday, September 5, 1973.

SUBSTITUTE MOTION ADOPTED

The substitute motion offered by Mr. Stubbs, that the House adjourn until 2:00 o'clock p.m., Wednesday, September 5, 1973, was adopted.

THIRTY-FIFTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, September 5, 1973

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Harvey Brown, Moore Avenue Baptist Church, Anniston, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Casey	Ellis	Hughes
Adams	Cauthen	Erdreich	Jackson
Adwell	Chesnut	Falkenburg	Jones (F)
Agee	Collins	Fite	King
Bank	Connell	Flipppo	Kinsey
Barkett	Coshatt	Gafford	Lang
Barron	Cottingham	Goodwin	Lutz
Bassett	Crawford	Grainger	McBride
Benton	Cross	Gray (F)	McCluskey
Boles	Crowe	Grey (D)	McCorquodale
Boutwell	Culver	Hale	McDonald
Bowers	Dill	Hardin	McMillan
Brassell	Doss	Harris	McNair
Burgess	Downing	Headley	Manley
Callahan	Drake	Hearn	Mathews
Carnes	Easters	Hill	May
Carter	Edwards	Hobbie	Meeks

Merrill	Reed (T)	Snell	Waggoner
Mims	Reid (R)	Stewart	Waldrop
Naramore	Reynolds	Stokes	Wallace
Nettles	Roberts	Stubbs	Warren
O'Daniel	Robertson	Taylor	Weeks
Owens	St. John	Therrell	Williams
Parker	Slate	Timmons	Wise
Perloff	Smith (K)	Turner	Wood
Porter	Smith (P)	Turnham	Wynot
Pruitt			

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A quorum was present.

MOTION TO SUSPEND RULES LOST

The motion offered by Mr. McCorquodale to suspend the rules in order to dispense with the reading at length of the Journal for the thirty-fourth legislative day, was lost, lacking a four-fifths vote.

Yeas 51; Nays 24.

Yeas:

Mr. Speaker	Easters	King	Robertson
Adams	Ellis	Lutz	St. John
Adwell	Erdreich	McCorquodale	Slate
Barron	Falkenburg	McDonald	Snell
Benton	Flippo	McMillan	Therrell
Boles	Gafford	Manley	Timmons
Boutwell	Grainger	May	Turner
Brassell	Hale	Nettles	Warren
Callahan	Hardin	Parker	Weeks
Carter	Harris	Perloff	Williams
Connell	Hearn	Porter	Wood
Cross	Hill	Reed (T)	Wynot
Doss	Hughes	Reid (R)	

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Nays:

Messrs.:	Downing	Lang	Smith (K)
Agee	Fite	McCluskey	Smith (P)
Bank	Goodwin	Merrill	Stewart
Carnes	Gray (F)	O'Daniel	Stokes
Chesnut	Grey (D)	Owens	Stubbs
Cottingham	Headley	Reynolds	Waggoner
Culver			

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And the Reading Clerk of the House was directed to begin the reading at length of the Journal for the thirty-fourth legislative day.

LEAVE OF ABSENCE

At the request of Mr. Doss, leave of absence was granted for Mr. Jones (E) due to illness.

MESSAGE FROM THE SENATE

Mr. Speaker:

I have been requested by the Senate to request the return from the House for further consideration the Bill:

REGULAR SESSION
35th Day

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H. 1309. To make a conditional supplemental appropriation to the Department of Public Safety for the fiscal years ending September 30, 1974 and September 30, 1975.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 137. To amend Title 52, Section 166 of the Code of Alabama of 1940; to provide that the city board of education shall adopt written policies with regard to education; to provide for the manner in which such policies shall be adopted; to provide that such written policies shall be made available to all teachers employed by the board; and to provide that such written policies and written amendments thereto shall be filed with the state superintendent of education.

Also:

S. 138. To amend Title 52, Section 73 of the Code of Alabama of 1940; to provide that the county board of education shall adopt written policies with regard to education and to provide that such written policies shall be made available to all employees of the board.

Also:

S. 461. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in judicial circuits composed of one county and having not less than four nor more than six Circuit Judges.

Also:

S. 506. To create the office of Ex-officio Judge of any County Court exercising original jurisdiction over general misdemeanors in Judicial Circuits composed of only one county and having a population of not less than 110,000 people nor more than 160,000 people according to the last and any subsequent decennial Federal census; to prescribe the powers, duties and authority of the Exofficio Judge; to provide for the appointment of such Ex-officio Judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him, and to provide a Supervisory Board, and prescribe its authorities and responsibilities.

Also:

S. 805. To provide for two deputy district attorneys for the 27th judicial circuit and their compensation and appointment.

Also:

S. 846. To alter, rearrange and extend the boundary lines and corporate limits of cities having a population of not less than 5,550 nor more than 5,700 inhabitants that lie within counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

S. 850. Relating to all counties having populations of not less than 65,000 nor more than 68,000, according to the most recent federal decennial census; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations; validating, ratifying and confirming all prior deposits of such fines and forfeitures; repealing all conflicting laws and parts of laws general, local and special.

Also:

S. 855. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; to authorize the board of registrars to meet for 60 days in addition to the number of days now provided by law for the purpose of implementing the federal court's plan of reapportionment; to authorize the county commission to appoint additional personnel and clerical help to work under the board of registrars, to determine the compensation of such personnel and to pay such compensation from the general fund of the county.

Also:

S. 857. To further amend Sections 2 and 3 of Act No. 491, S. 444, Regular Session 1961, as amended, An Act relative to cities in the state having a population of not less than 60,000 nor more than 70,000 people, according to the last or any subsequent federal decennial census; providing for a commission form of government in such cities; and providing for the term of the members of said commission board, and the time and manner of calling and holding an election therefor.

Also:

S. 861. To create the office of county license inspector in all counties of this state having a population of not less than 65,000 or more than 68,000 inhabitants, according to the last or any subsequent Federal decennial census, and to provide for the appointment of a license inspector, fix his compensation, prescribe his duties and define his powers, and provide for the operation of his office.

Also:

S. 862. Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salaries of certain deputies in the office of the sheriff.

Also:

S. 870. Relating to counties having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Also:

S. 876. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the

Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

Also:

S. 877. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the last federal decennial census; to require the use of voting machines at all polling places; to allow the designation of voting places; to permit electors to register votes on any voting machine at the designated voting place; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 930. Repealing Constitutional Amendment CLXXXIV, relating to the compensation of certain officers of DeKalb County; proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of DeKalb County.

Also:

S. 885. To authorize the county commission in Houston County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land and Mobile home parks situated outside the corporate limits of any municipality in the county.

Also:

S. 886. To establish a Civil Service System for Houston County; to provide a policy for the administration of this act; to divide positions in the county into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans for Houston County; to provide that the first members of the personnel board shall be members of the existing personnel appeals board created pursuant to Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), and to provide for their successors in office; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permis-

sive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the county; to provide for the expenses of such board; to guarantee certain rights to the governing body of Houston County.

Also:

S. 887. To repeal Act No. 2262, S. 1234, Regular Session 1971 (Acts 1971, p. 3643), entitled "An Act to provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties."

Also:

S. 889. To provide for an investigator in the district attorney's office of the Thirty-First Judicial Circuit.

Also:

S. 926. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

Also:

S. 927. Relating to Cherokee County; to provide further for the salaries of the tax assessor and tax collector of Cherokee County.

Also:

S. 928. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168), as amended, which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis.

Also:

S. 929. Relating to Cherokee County; to provide that all house trailers must have an identification tag on them even though said house trailer has been assessed for ad valorem taxation as part of the realty.

McDOWELL LEE,
Secretary.

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SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 109. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems; to define the term "insurance holding company system" and certain other terms; to provide for and regulate the acquisition of subsidiaries of insurers; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Commissioner of Insurance; to prescribe grounds for approval of mergers and acquisitions; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Commission of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Commissioner of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Commissioner of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review; to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Also:

S. 611. To Repeal Section 17 of Act No. 1594, Regular Session 1971, thereby applying the provisions of this act to counties with populations of 600,000 inhabitants or more.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1048. Relating to a system of accounting reporting for counties having populations of 6,00,000 or more according to the most recent federal decennial census; providing for publication of accounting information by all local units of government in such counties; to establish what such information should include; to set a date for the commencement of such reporting system; to provide that reports be made by auditors and examiners as to compliance with such system; to provide methods for enforcement of such reporting and compliance with such reporting system, and for penalties for lack of compliance.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 286. To provide subsistence allowances for law enforcement officers while on duty to and to authorize expenditure of funds for that purpose.

Also:

H. 313. To name the fieldhouse at Ohatchee High School located in Calhoun County in honor of S. Gerald Acker.

Also:

H. 388. To provide for the exemption from ad valorem taxation of the home of any person who is totally disabled or who is sixty-five years of age or older and who had an adjusted gross income of less than five thousand dollars for income tax purposes for the last preceding year.

Also:

H. 677. Further amending Code of Alabama 1940. Title 22, Sections 23, 24, 25, 26, 27, 28, 29, 30, 31 and adding Section 31 (1), relating to Vital Statistics; providing for registration of death by the funeral director and filing a certificate of death by the attending physician or coroner in certain cases.

Also:

H. 734. To amend Title 45, Section 144, Alabama Code, 1940, as amended, providing a daily prisoner meal allowance, so as to provide for an increase in such allowance.

Also:

H. 1136. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$2,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority."

Also:

H. 1138. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$2,000,000 in aggregate principal amount.

Also:

H. 1909. Pertaining to Madison County, to consolidate the offices of Register in Chancery of the 23rd Judicial Circuit, the office of County Court Clerk or its successor and the Clerk of the Circuit Court, 23rd Judicial Circuit; to provide that the clerk of the said Circuit Court henceforth perform duties and functions of the said Register and County Court Clerk; to provide the compensation of the Circuit Clerk and to otherwise provide for the office of Clerk of the Circuit Court, 23rd Judicial Circuit of Alabama; to create the office of Court Administrator; to provide the compensation and duties of said office and to otherwise provide for said office.

Also:

H. 1005. To create a uniform military code by rewriting Sections 1-185 and Sections 203-349 of Title 35, Code of Alabama and amendments thereto, to provide for the Alabama National Guard and naval militia and to provide for the Alabama State Guard; to provide for the training, regulation, maintenance and appropriations therefor; to establish the state military department and the office of the Adjutant General and to prescribe the duties, authority, and power of such department and office; to establish a uniform code of military justice and to provide other authority incidental to the proper establishment and maintenance of the Alabama National Guard, naval militia, and the Alabama State Guard.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO RECONSIDER ADOPTED

Having voted on the prevailing side, Mr. Waggoner moved to reconsider the vote by which the rules were not suspended in order to dispense with the reading at length of the Journal for the thirty-fourth legislative day, and the motion was adopted.

Yeas 47; Nays 25.

Yeas:

Mr. Speaker	Chesnut	Hughes	Porter
Adams	Connell	King	Pruitt
Adwell	Cross	Kinsey	Reed (T)
Bank	Doss	Lutz	Robertson
Barron	Easters	McBride	St. John
Boles	Erdreich	McCorquodale	Snell
Boutwell	Falkenburg	McDonald	Timmons
Brassell	Gafford	McMillan	Waggoner
Callahan	Grainger	May	Wallace
Carter	Hale	Meeks	Weeks
Casey	Harris	Nettles	Williams
Cauthen	Hearn	Parker	

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Nays:

Messrs.:	Fite	Naramore	Smith (P)
Barkett	Goodwin	Owens	Stewart
Benton	Gray (F)	Perloff	Stubbs
Carnes	Grey (D)	Reid (R)	Therrell
Crawford	Headley	Reynolds	Warren
Culver	Jackson	Smith (K)	Wood
Downing	Merrill		

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MOTION TO SUSPEND RULES LOST

The question was then on the motion offered by Mr. McCorquodale to suspend the rules in order to dispense with the reading at length of the Journal for the thirty-fourth legislative day, and the motion was lost, lacking a four-fifths vote.

Yeas 59; Nays 22.

Yeas:

Mr. Speaker	Doss	Jones (F)	St. John
Adams	Easters	King	Slate
Adwell	Ellis	Kinsey	Snell
Barron	Erdreich	Lutz	Stokes
Bassett	Falkenburg	McBride	Stubbs
Benton	Flippo	McCorquodale	Therrell
Boutwell	Gafford	McDonald	Timmons
Bowers	Grainger	McMillan	Turner
Brassell	Hale	May	Waggoner
Callahan	Hardin	Meeks	Waldrop
Carter	Harris	Nettles	Wallace
Cauthen	Hearn	Parker	Weeks
Chesnut	Hill	Porter	Williams
Connell	Hobbie	Reed (T)	Wynot
Cross	Hughes	Robertson	—59

Nays:

Messrs.:	Culver	Merrill	Smith (K)
Bank	Downing	Naramore	Stewart
Barkett	Goodwin	Perloff	Taylor
Carnes	Grey (D)	Pruitt	Warren
Cottingham	Headley	Reid (R)	Wood
Crawford	Manley	Reynolds	—22

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the amendment proposed by His Excellency, the Governor, to the Bill:

H. 1509. Relating to all counties having populations of not less than 300,000 nor more than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

by a vote of: Yeas 23, Nays 5, which was a majority of the whole number elected to the Senate.

And the Senate reconsidered the Bill, H. B. 1509.

And said Bill, H.B. 1509, was again read at length and passed, the Governor's objections to the contrary notwithstanding, by a vote of: Yeas 22, Nays 6, which was a majority of the whole number elected to the Senate.

And said Bill, H.B. 1509, together with the amendment proposed by His Excellency, the Governor, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Lyons, the rules were suspended in order to concur in and adopt the Report of the Standing Committee on Rules and to dispense with the reading at length of the Journal for the thirty-fourth legislative day.

Yeas 76; Nays 14.

Yeas:

Mr. Speaker	Crawford	Hearn	Robertson
Adams	Cross	Hill	St. John
Adwell	Crowe	Hobbie	Slate
Bank	Culver	Hughes	Smith (P)
Barkett	Dill	Jackson	Snell
Barron	Doss	King	Stewart
Bassett	Easters	Kinsey	Stokes
Benton	Edwards	Lutz	Stubbs
Boutwell	Ellis	McBride	Therrell
Bowers	Erdreich	McCluskey	Timmons
Brassell	Falkenburg	McDonald	Turner
Callahan	Flippo	McMillan	Turnham
Carter	Grainger	May	Waggoner
Cauthen	Gray (F)	Meeks	Waldrop
Chesnut	Grey (D)	Nettles	Wallace
Collins	Hale	Owens	Warren
Connell	Hardin	Parker	Weeks
Coshatt	Harris	Porter	Williams
Cottingham	Headley	Roberts	Wynot

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Nays:

Messrs.:	Manley	Pruitt	Taylor
Carnes	Naramore	Reid (R)	Wise
Downing	O'Daniel	Reynolds	Wood
Fite	Perloff	Smith (K)	

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REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-fourth legislative day and finds the same to be correct.

TOM DRAKE,
Chairman.

On motion of Mr. Lyons, the reading at length of the Journal of the House for the thirty-fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirty-fourth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the resolution, S. J. R. 117, and

ordered same returned to the House with a favorable report, with substitute, said resolution being as follows:

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Wednesday, September 5, 1973, and when they adjourn on Wednesday, September 5, 1973, they adjourn to meet again on Friday, September 14, 1973.

The question was then on the adoption of the substitute reported by the Standing Committee on Rules, said Committee substitute being as follows:

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Wednesday, September 5, 1973, and when they adjourn on Wednesday, September 5, 1973, they adjourn to meet again on Wednesday, September 12, 1973, and that when they adjourn on Wednesday, September 12, 1973, they adjourn Sine Die.

SUBSTITUTE TABLED

On motion of Mr. Lyons, the substitute reported by the Standing Committee on Rules to the resolution, S. J. R. 117, was tabled.

Yeas 77; Nays 0.

Yeas:

Messrs.:	Dill	Kinsey	Robertson
Adams	Doss	Lutz	St. John
Bank	Downing	McBride	Slate
Barkett	Easters	McCluskey	Smith (K)
Barron	Edwards	McDonald	Snell
Bassett	Ellis	McMillan	Stewart
Boutwell	Falkenburg	McNair	Stokes
Bowers	Fite	Manley	Stubbs
Callahan	Flippo	Mathews	Taylor
Carnes	Goodwin	May	Therrell
Carter	Grainger	Meeks	Turner
Cauthen	Gray (F)	Merrill	Turnham
Chesnut	Hardin	Nettles	Waggoner
Collins	Harris	Owens	Waldrop
Connell	Hearn	Parker	Wallace
Cottingham	Hill	Perloff	Warren
Crawford	Hobbie	Pruitt	Weeks
Cross	Hughes	Reid (R)	Williams
Crowe	Jackson	Reynolds	Wynot
Culver	King		

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Mr. Lyons offered the following substitute to the resolution, S. J. R. 117:

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES THEREOF CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Wednesday, September 5, 1973, and when they adjourn on Wednesday, September 5, 1973, they adjourn to meet again on Thursday, September 13, 1973, and that when they adjourn on Thursday, September 13, 1973, they adjourn Sine Die.

And the substitute was adopted.

And the resolution, S. J. R. 117 as thus amended, was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES

Mr. Drake, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted favorably on the following resolutions:

S. J. R. 90. RESOLUTION NAMING THE UNIVERSITY CENTER BUILDING AT TROY STATE UNIVERSITY THE RALPH W. ADAMS BUILDING.

On motion of Mr. Bassett, the resolution was adopted.

Also:

S. J. R. 110. DESIGNATING THE DENTAL CLINIC AT THE JAMES H. FAULKNER STATE JUNIOR COLLEGE IN BAY MINETTE "THE HAROLD B. PEARSON DENTAL CLINIC"

On motion of Mr. Kinsey, the resolution was adopted.

Also:

S. J. R. 109. COMMENDING CERTIFIED NURSE ANESTHETISTS.

On motion of Mr. Smith (K), the resolution was adopted.

Also:

H. J. R. 234. URGING THE ELECTION OF MRS. ARA BELLE WALKER AS NATIONAL FIRST VICE PRESIDENT OF THE AMERICAN BUSINESS WOMEN'S ASSOCIATION.

On motion of Mr. Turnham, the resolution was adopted.

Also:

H. J. R. 230. CREATING AN INTERIM COMMITTEE TO STUDY THE PURCHASE SYSTEM FOR THE ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD.

On motion of Mr. Downing, the resolution was adopted.

Also:

H. J. R. 229. CREATING THE JOINT INTERIM COMMITTEE ON WELFARE.

On motion of Mr. Ellie, the resolution was adopted.

Also:

H. J. R. 224. APPOINTING A JOINT COMMITTEE OF THE LEGISLATURE TO STUDY THE PROBLEMS OF THE AGING AND RETIRED PEOPLE OF ALABAMA.

On motion of Mr. Turnham, the resolution was adopted.

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Also:

S. J. R. 103. NAMING U. S. HIGHWAY 11 BETWEEN BIRMINGHAM AND TRUSSVILLE THE RICHARD BEARD MEMORIAL PARKWAY.

On motion of Mr. Gafford, the resolution was adopted.

Also:

H. J. R. 221. COMMENDING THE AUBURN UNIVERSITY FOOTBALL TEAM FOR THEIR WINNING RECORD DURING THE 1972 FOOTBALL SEASON AND FOR WINNING THE GATOR BOWL GAME.

On motion of Mr. Turnham, the resolution was adopted.

Yeas 77; Nays 3.

Yeas:

Mr. Speaker	Culver	Hughes	Pruitt
Adams	Dill	Jackson	Reed (T)
Adwell	Doss	King	Reid (R)
Bank	Downing	Kinsey	Reynolds
Barron	Easters	Lutz	Robertson
Bassett	Edwards	McCluskey	St. John
Benton	Falkenburg	McCorquodale	Smith (K)
Boutwell	Fite	McDonald	Smith (P)
Bowers	Gafford	McMillan	Snell
Brassell	Goodwin	McNair	Stubbs
Callahan	Grainger	Manley	Therrell
Carnes	Gray (F)	Mathews	Turner
Carter	Hale	May	Turnham
Casey	Hardin	Meeks	Waldrop
Cauthen	Harris	Merrill	Wallace
Chesnut	Headley	Naramore	Warren
Connell	Hearn	Nettles	Wise
Cottingham	Hill	Perloff	Wood
Crawford	Hobbie	Porter	Wynot
Cross			

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Nays: Messrs. Barkett, Stewart and Stokes.

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Also:

H. J. R. 223. DESIGNATING THE STREET WHICH COMMENCES AT THE POINT WHERE NINTH STREET AND FIFTEENTH STREET COMBINE AND RUNS TO THE TUSCALOOSA COUNTY LINE THE "CULVER ROAD"

On motion of Mr. Bank, the resolution was adopted.

BILLS ON SECOND READING

Mr. Matthews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 47 To amend Section 366 of the Title 52 of the Code of Alabama as amended which relates to the Teachers' Retirement System of Alabama.

S. 698 To make appropriations from the general fund in the State Treasury to the Board of Corrections Fund to be used for Law Enforcement Planning Agency matching funds for the fiscal years ending September 30, 1974 and 1975.

Mr. Stubbs, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 662 To provide compensation for total disability and death due to pneumoconiosis of coal miners and their dependents as herein defined in compliance with the provisions of the Federal Coal Mine Health and Safety Act of 1969 as amended by the 96th Congress. And to provide for standards and presumptions for determining when and under what conditions such total disability or death is due to pneumoconiosis for eligibility for such benefits by coal miners and their dependents as herein provided. And to provide for the protection of such benefits and the payment thereof by coal mine operators as herein provided. And to provide that any claim or action filed herein for such total disability or death shall be deemed to have been timely filed if filed as herein required within three years of the discovery of such total disability or the date of death in the case of death. And to provide for the liability for the benefits herein as provided of prior and successor operators and as herein defined and to amend and supplement Act No. 1198 enacted by the 1971 Regular Session of the Alabama Legislature for miners employed at such mines.

Mr. Bank, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 847. To amend Sections 2, 3, 5, 6, 7, 8 and 10 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, and to repeal Section 4 of Act No. 867, S. 210, Page 1615, Volume 2, Acts of Alabama, 1965, said Act creating the Board of Nursing, relating to Nursing and the practice of Nursing, qualifications of nurses, fees and charges for services of the Board of Nursing, the disciplining of licensees and fixing penalties for violation of said Act.

S. 172 To provide that any health, hospitalization, surgical, or other medically-related insurance coverage of newborn infants who are included under any such family-type insurance policy issued in this state shall begin immediately from the moment of birth of such infant; and that the coverage and insurability of such infant shall not be disclaimed or otherwise denied by the insurer of such policy.

S. 896 Requiring immunization of children against or testing for certain diseases designated by the State Board of Health and requiring proof of immunization or testing prior to entry of children into school.

S. 130 To amend Section 319 of Title 46, Code of Alabama, 1940, as amended, which relates to the practice of Veterinary Medicine and surgery in Alabama.

Mr. McCorquodale, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the

following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 29. To amend Section 1 of Act No. 531, S.B. 101, Regular Session 1947, (Acts 1947, p. 388), as amended, which act provides for the compensation of members of the board of registrars.

S. 585. Amending Section 77 of Title 41, Alabama Code, 1940, requiring the execution of bonds by a tax collector, so as to provide a formula for determining the amount of the bond.

Mr. McDonald, Chairman of the Standing Committee on Commerce and Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 402 To provide that the State Personnel Department, with the advice of the Alabama State Employees' Association, shall provide for service recognition pins for state personnel.

Mr. Bowers, Chairman of the Standing Committee on Military Affairs, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 300 To amend further Sections 1, 2 and 3 of Act No. 47, H. 29, Regular Session 1951, (Acts 1951, p. 259) as last amended, which relates to the provision of educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 183. (With Amendment): To alter, rearrange and extend the boundary lines and corporate limits of the Town of New Site, in Tallapoosa County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 852 Repealing Act No. 278, H. 369, Special Session 1966 (Acts 1966, p. 420) which created a deputy district attorney for the Eighth Judicial Circuit.

S. 856 Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

The above bill was read a second time at length as required by the Constitution.

S. 858 Governing the pleading, practice and procedure in civil actions in the Tuscaloosa County Court by adopting the Alabama Rules of Civil Procedure to increase the jurisdiction in civil actions in the Tuscaloosa County Court and to provide an expense allowance for the judge of the Tuscaloosa County Court.

S. 864 Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation and expenses of the judge of the county court in such counties.

S. 865 Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation of the tax assessor and tax collector in all such counties.

S. 867 Relating to the assistant district attorney in all counties having populations of not less than 65,000 nor more than 68,000; increasing the supplement to the salary paid by the state.

S. 882 Amending the title and Section 3 of Act No. 258 of the 1973 Regular Session of the Alabama Legislature, relating to election districts for Morgan County, so as to provide for the changing of election dates in Districts three and four.

S. 924 Relating to any county having a population of not less than 75,000 nor more than 90,000, according to the most recent federal decennial census; further regulating the expense allowances of the tax assessor and tax collector.

Mr. Doss, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 944 To alter, rearrange, and extend the boundary lines and corporate limits of the City of Vestavia Hills, Jefferson County, Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 880 To create the office of supernumerary county commissioner in all counties with a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census, and to prescribe the qualifications, duties, and salary of such office.

ADVERSE CALENDAR

Mr. Fite, Chairman of the Standing Committee on State Administration reported that said committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

S. 1 To establish a state ethics commission and to provide a state ethics law which requires that certain statements of economic interest be filed by public officials and which prohibits certain practices by public officials which conflict with a proper safeguarding of the public officials which conflict with a proper safeguarding of the public trust. Violations thereof shall be considered a felony. Also relating to the activities, registration, and reporting requirements of persons engaged in activities designed to influence legislation.

The above and foregoing bill was read a second time and placed on the Adverse Calendar.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Downing:

H. J. R. 260. KNOW ALL MEN BY THESE PRESENTS THAT

WHEREAS, Our esteemed colleague Clarence Chesnut, Jr. has spent many hours in the preparation and publication of local bills pertaining to his counties, and

WHEREAS, Said bills were introduced both in the House of Representatives and Senate, and

WHEREAS, The Senate bills were passed first thereby, not showing his name as the chief sponsor, and

WHEREAS, The House of Representatives wishes to recognize and congratulate Mr. Chesnut on his integrity, efforts, diligence, and statesmanship by naming said bills in his honor;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That henceforth, Senate bills 926, 927, 928, and 929 be known as the Clarence Chesnut, Jr. bills.

On motion of Mr. Downing, the rules were suspended and the resolution, H. J. R. 260, was adopted.

Also:

By Messrs. McCluskey and Smith (P):

H. J. R. 261. COMMENDING MRS. ALICE WASHAM FOR A JOB "WELL DONE" AS TAX ASSESSOR OF TALLADEGA COUNTY.

WHEREAS, Alice Washam will soon be retiring from her position as Tax Assessor of Talladega County. She was appointed by Governor Jim Folsom to fill out the term of her late husband and then won re-election for two terms and faced no opposition in her last election to this esteemed office; and

WHEREAS, this lovely and gracious southern lady is a native of Sylacauga, where she attended the public schools, graduating from Sylacauga High School. She used her keen mind to attend Troy Normal College and graduated from business school in Birmingham; and

WHEREAS, she contributed greatly to the progress of Talladega County during her terms of office. She was a diligent and dedicated public servant who was ever ready to contribute to the needs of the people of her county and state; and

WHEREAS, Alice Washam contributed immeasurably to the civic life of her community. She is a very active member of the Sylacauga Business and Professional Women's Club, the Sylacauga Chamber of Commerce and the Farm Bureau; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend a lovely and

charming southern lady, Mrs. Alice Washam, for her tremendous jos as Tax Assessor of Talladega County and pay tribute to her as a member of that great body of Americans who dedicated their lives for the common good of all people.

BE IT FURTHER RESOLVED that we wish her much happiness in her retirement years and that a copy of this resolution be sent to her.

On motion of Mr. McCluskey, the rules were suspended and the resolution, H. J. R. 261, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 399. To amend Act No. 758, S 556, Regular Session 1967, which Act fixes the salary range of the State Budget Officer, by placing the authority to fix such salary in the State Personnel Board.

Also:

H. 1321. To make an appropriation for the payment of expenses of the Legislature.

Also:

H. 200. To regulate further nonprofit corporations established for the purpose of maintaining and operating health care service plans; to amend further sections 304, 305, 306, 307, and progressively to 311 and 313 of Title 28, Code of Alabama of 1940, as amended, relating to such nonprofit corporations; and to provide for the continuation of the existence of said corporations organized prior to and existing on the effective date of this Act.

Also:

H. 324. To make appropriations for the support and maintenance of the Walker County Junior College located as Jasper, in Walker County.

Also:

H. 325. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Also:

H. 147. To provide additional judges for the tenth judicial circuit of Alabama.

Also:

H. 245. Relating to the Thirty-Second Judicial Circuit; providing for an additional circuit judge in such circuit.

Also:

H. 736. To create two additional judgeships for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judges.

Also:

H. 961. Relating to the Twenty-sixth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Also:

H. 1652. Relating to the Twenty-eighth Judicial Circuit; providing for an additional circuit judge in such circuit.

Also:

H. 2138. Relating to the thirtieth judicial circuit; providing for additional circuit court judge in such circuit.

Also:

H. 2213. To re-divide the state into judicial circuits so as to create a Thirty-eighth Judicial Circuit consisting of Jackson County and to create a new judgeship and a new district attorney's position.

Also:

H. 144. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the election of an incumbent thereof; to prescribe the jurisdiction, powers, authority, qualifications, duties, and compensation of such incumbent, and to render such incumbent liable to all the pains and penalties of other Circuit Judges in the State, and to further provide for a division of authority and duties between judgeships in said Circuit.

Also:

H. 569. To provide for the appointment, duties and compensation of four additional Deputy District Attorneys in judicial circuits composed of one county having a population of 600,000 or more according to the last or any subsequent federal decennial census and to provide when said Act shall go into effect.

Also:

H. 2034. Relating to the First Judicial Circuit; designating each county solicitor or assistant district attorney in each county composing the circuit as a deputy district attorney, and providing that all such deputy district attorneys shall be entitled to receive equal shares of any funds appropriated by the state for the compensation of deputy district attorneys.

Also:

H. 244. To abolish the Office of County Solicitor of Cullman County, Alabama, and to extend the power, authority and duties of the District Attorney of the Thirty-Second Judicial Circuit to require that he prosecute or supervise the prosecution of all misdemeanors and all felonies in any and all inferior courts in said Judicial Circuit and to perform all duties heretofore performed by the County Solicitor of Cullman County, and creating the Office of Deputy District Attorney for said Judicial Circuit to be appointed and serve at the pleasure of the District Attorney; setting the qualifications and salary of said Deputy District Attorney.

Also:

H. 1308. To provide for a state supplement to the Chief Deputy District Attorney in the 11th Judicial Circuit.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Mr. Callahan:

H. J. R. 262. COMMENDING BETH BARRY FOR HER BRILLIANT GOLF CAREER.

WHEREAS, the lovely and gracious Beth Barry is a brilliant golfer who's had much success on golf courses across the nation and around the world; and

WHEREAS, among the many awards she has won are included the 1966 Alabama Junior State Championship; 1966-67 Tri State Junior Championship; 1966-67-68 runner up for the Alabama Women's State Championship; 1967-1970 member of the University of South Alabama Variety Rolf team for whom she won 56 of 63 matches against male opponents; 1969, 1970, 71-72 Alabama Women's State Championship; 1971-72-73 Southern Amateur Championship; 1971 Western Amateur Championship; runner up for the 1971 National Amateur Championship; runner up for the 1972 North-South Championship; 1973 North-South Championship; 1973 Mexican Amateur Championship; 1973 Medalist in the Western Amateur Championship; and second low amateur in the 1973 United States Women Open Championship. Finally and perhaps the most esteemed award she has won is membership on the 1972 Curtis Cup Team which represented the United States against Great Britain; and

WHEREAS, Miss Barry's tremendous play on the golf course has brought much honor and recognition not only to herself but also to her native state. She is a member of the Isle Dauphine Country Club; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Miss Beth Barry for her outstanding golf career and express our deep appreciation of the vast recognition that she has brought to her native state of Alabama.

BE IT FURTHER RESOLVED that we wish Miss Barry much success in her future endeavors and that a copy of this resolution be sent to her.

On motion of Mr. Callahan, the rules were suspended and the resolution, H. J. R. 262, was adopted.

REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL 1189

We, the committee of conference appointed to reconcile the differences between the two houses concerning the bill, HB 1189, with Senate amendment, have met and considered the matter referred and beg leave to report as follows:

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Amend House Bill 1189 in Section 1, paragraph "Section 4" by deleting the words and figures "Twenty-four Thousand (\$24,000.) Dollars" and inserting in lieu thereof the words and figures "Twenty-two Thousand two hundred (\$22,200) Dollars."

Also amend in Section 3 by deleting the words and figures "January 1, 1977" and inserting in lieu thereof the following words and figures: "January 1, 1974".

E. HUBERT GILMORE,
GEORGE LEWIS BAILES,
RICHARD DOMINICK,

Conferees on the part of the Senate.

ROBERT GAFFORD,
PAUL MEEKS, JR.,
CHRISS DOSS,

Conferees on the part of the House.

CONFERENCE COMMITTEE REPORT ADOPTED

The House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 1189, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Reed (T)
Adams	Crowe	King	Roberts
Adwell	Culver	Kinsey	Robertson
Bank	Dill	McBride	St. John
Barkett	Doss	McCluskey	Slate
Barron	Downing	McMillan	Stokes
Benton	Easters	McNair	Stubbs
Boutwell	Ellis	Mathews	Taylor
Brassell	Erdreich	May	Therrell
Burgess	Falkenburg	Meeks	Turner
Carnes	Fite	Merrill	Waggoner
Carter	Gafford	Naramore	Waldrop
Cauthen	Grainger	Nettles	Wallace
Chesnut	Hardin	Owens	Warren
Collins	Harris	Parker	Weeks
Connell	Headley	Perloff	Williams
Cottingham	Hughes	Porter	Wise
Crawford	Jackson	Pruitt	Wynot

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And the bill:

H. 1189. To amend Section 4, Act No. 571, Acts of Alabama 1967, page 1324, approved September 8, 1967, to further provide for the compensation of the Assistant or Associate Judge of Probate in counties having 600,000 or more population.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Reed (T)
Adams	Dill	Kinsey	Roberts
Adwell	Doss	McBride	Robertson
Bank	Downing	McDonald	St. John
Barkett	Easters	McMillan	Slate
Barron	Edwards	McNair	Snell
Benton	Ellis	Mathews	Stokes
Boutwell	Erdreich	May	Stubbs
Brassell	Falkenburg	Meeks	Therrell
Burgess	Fite	Merrill	Turner
Carnes	Gafford	Naramore	Waggoner
Carter	Gray (F)	Nettles	Waldrop
Cauthen	Hardin	Owens	Wallace
Chesnut	Harris	Parker	Warren
Connell	Headley	Perloff	Weeks
Cottingham	Hughes	Porter	Williams
Crawford	Jackson	Pruitt	Wynot
Cross	Jones (F)		

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RESOLUTION

The following resolution introduced on the thirty-fourth legislative day was read by title pursuant to Joint Rule 12:

H. J. R. 252. EXPRESSING THE REGRET OF THE LEGISLATURE UPON THE DEATH OF VASSER CALVIN HARTLEY.

On motion of Mr. McCorquodale, the resolution was adopted.

RESOLUTION

The following resolution was introduced:

By Mr. Turnham:

H. R. 263. COMMENDING COACH BOB DAVIS AND THE AUBURN UNIVERSITY BASKETBALL TEAM UPON THEIR INVITATION TO PARTICIPATE IN AN INTERNATIONAL BASKETBALL TOURNAMENT IN ISRAEL.

WHEREAS, Coach Bob Davis and the Auburn University basketball team are presently on a ten day tour of Israel where they have been invited to participate in an international basketball tournament; and

WHEREAS, this will be Auburn University's basketball team's first taste of international competition. Other countries who are participating in this tournament include the host country, Israel, France and Greece; and

WHEREAS, this trip by the eleven member basketball team reflects much honor upon the university and the State of Alabama. Although they were defeated in the opening game 109-79 by Israel, they conducted themselves admirably. The team played this game after a thirteen hour non-stop jet flight and a seven hour time lag, arriving in Israel just five hours before game time; and

WHEREAS, we wish to also express our appreciation to Doctor Haskell Cohen of the Sports for Israel Committee in New York for inviting the team. This trip is Coach Davis' fifth trip to Israel; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That we congratulate Coach Bob Davis and the Auburn University basketball team upon their present tour of Israel and wish them much success on this tour.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Coach Bob Davis and members of the basketball team and staff, and to Doctor Haskell Cohen of the Sports for Israel Committee in New York.

On motion of Mr. Turnham, the rules were suspended and the resolution, H. R. 263, was adopted.

NOTICE IN WRITING

Messrs. Hale, Hill, Lutz, Hern, King, Boutwell, Grainger, Culver, Parker, Erdreich, Smith (P), Falkenburg, Coshatt, Reynolds, Stewart, Cauthen, St. John, Robertson, Jones (F), Waldrop, Turner, Stokes, Gray (F), McBride, Bowers, Wynot, McNair, Warren, Adwell, Kinsey, Therrell, Bassett, Barron, Benton, Crawford, Adams, Connell, Smith (K), Doss, McDonald, McMillan, Hughes, Waggoner, Stubbs, Nettles, Roberts, Hobbie, Weeks, Ellis and Reid (R) filed the following Notice in Writing:

Notice in writing is hereby given on the thirty-fifth Legislative Day, according to House Rule 45, to move on the thirty-sixth Legislative Day to take Senate Bill # 1 from the Adverse Calendar and place it on the Regular Calendar.

RESOLUTION

The following resolution was introduced:

By Messrs. Culver, Parker, Bank and Robertson:

H. J. R. 264. NAMING THE BRIDGE OVER THE BLACK WARRIOR RIVER ON INTERSTATE 59 NEAR FOSTERS THE "LURLEEN B. WALLACE BRIDGE".

WHEREAS Fosters, Alabama is the birthplace of our beloved and esteemed late Governor Lurleen B. Wallace; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING That the bridge over the Black Warrior River on Interstate 59 near Fosters is hereby designated as the "Lurleen B. Wallace Bridge" and the State Highway Department shall cause appropriate signs and markers to be erected.

On motion of Mr. Culver, the rules were suspended and the resolution, H. J. R. 264, was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the Resolution:

S. J. R. 117. RELATIVE TO ADJOURNMENT OF THE TWO HOUSES.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING

And the bill:

S. 536. To authorize the Baldwin County governing body to appoint a Baldwin County Industrial Development Commission, to prescribe the powers and duties of and grant funds to said commission.

Was taken up.

S. 536 POSTPONED

On motion of Mr. Kinsey, the bill, S. 536, was postponed to the thirty-sixth legislative day.

And the bill:

S. 537. To authorize the Baldwin County Commission to regulate the minimum size of lots and the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in Baldwin County.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson	Reynolds
Adwell	Easters	Jones (F)	Roberts
Bank	Edwards	King	Robertson
Barkett	Ellis	Kinsey	St. John
Barron	Erdreich	McBride	Slate
Bassett	Falkenburg	McCluskey	Smith (K)
Benton	Fite	McDonald	Smith (P)
Brassell	Flippo	McMillan	Snell
Burgess	Gafford	McNair	Stewart
Carnes	Goodwin	Manley	Stokes
Carter	Grainger	Mathews	Turner
Casey	Gray (F)	May	Waggoner
Cauthen	Hale	Merrill	Waldrop
Connell	Hardin	Naramore	Wallace
Coshatt	Harris	Owens	Warren
Cottingham	Headley	Parker	Weeks
Crawford	Hearn	Porter	Williams
Cross	Hill	Pruitt	Wise
Crowe	Hughes	Reid (R)	Wynot
Culver			

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And the bill:

S. 548. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Brassell
Adams	Barkett	Benton	Burgess
Adwell	Barron	Boutwell	Carnes

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Carter	Flippo	McDonald	Smith (K)
Casey	Gafford	McMillan	Smith (P)
Cauthen	Goodwin	McNair	Snell
Chesnut	Grainger	Manley	Stokes
Collins	Gray (F)	Mathews	Stubbs
Connell	Hardin	May	Taylor
Cottingham	Headley	Nettles	Therrell
Crawford	Hearn	Owens	Turner
Cross	Hill	Perloff	Waggoner
Culver	Hughes	Pruitt	Waldrop
Doss	Jackson	Reed (T)	Wallace
Downing	King	Reynolds	Warren
Easters	Kinsey	Roberts	Weeks
Edwards	Lutz	Robertson	Williams
Ellis	McBride	St. John	Wise
Erdreich	McCluskey	Slate	Wynot
Fite			

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And the bill:

S. 608. To authorize the Baldwin County governing body to appoint a county tourism commission which will promote travel to Baldwin County, to prescribe the powers and duties of and to grant funds from the county governing body to the tourism commission.

Was taken up.

S. 608 POSTPONED

On motion of Mr. Kinsey, the bill, S. 608, was postponed to the thirty-sixth legislative day.

And the bill:

S. 669. Relating to counties having a population of not less than 57,000 nor more than 61,000; authorizing the county governing body of such counties to provide the bailiff of the Circuit Court of such counties additional compensation.

As amended on the thirty-fourth legislative day, was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Cross	Headley	Naramore
Adams	Culver	Hearn	Nettles
Adwell	Doss	Hill	O'Daniel
Barron	Downing	Hughes	Owens
Benton	Edwards	Jackson	Parker
Boutwell	Ellis	King	Perloff
Burgess	Erdreich	Kinsey	Porter
Callahan	Fite	Lutz	Pruitt
Carnes	Flippo	McBride	Reynolds
Carter	Gafford	McCluskey	Roberts
Casey	Goodwin	McDonald	Robertson
Cauthen	Grainger	McMillan	St. John
Chesnut	Hale	McNair	Slate
Connell	Hardin	Manley	Smith (K)
Cottingham	Harris	May	Smith (P)

Snell
Stokes
Stubbs
Therrell

Turner
Waggoner
Waldrop

Wallace
Warren
Weeks

Williams
Wise
Wynot

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And the bill:

S. 747. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for an additional expense allowance and an additional clerk hire allowance for the circuit clerk.

Was taken up.

S. 747 POSTPONED

On motion of Mr. Kinsey, the bill, S. 747, was postponed to the thirty-sixth legislative day.

And the bill:

S. 749. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for additional expense allowance for the tax collector and tax assessor.

Was taken up.

S. 749 POSTPONED

On motion of Mr. Kinsey, the bill, S. 749, was postponed to the thirty-sixth legislative day.

And the bill:

S. 777. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing an additional expense allowance for the county solicitor of such counties.

As amended on the thirty-fourth legislative day, was read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Bank
Barron
Bassett
Benton
Boutwell
Bowers
Brassell
Callahan
Carnes
Carter
Casey

Cauthen
Chesnut
Connell
Cottingham
Crawford
Cross
Culver
Doss
Downing
Edwards
Ellis
Erdreich
Fite
Flippo

Gafford
Goodwin
Grainger
Gray (F)
Hale
Hardin
Harris
Hearn
Hill
Hughes
Jackson
Jones (F)
King
Kinsey

Lutz
McBride
McMillan
McNair
Manley
Mathews
May
Meeks
Naramore
Nettles
O'Daniel
Owens
Perloff
Porter

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Pruitt	Slate	Turner	Weeks
Reed (T)	Smith (K)	Waggoner	Williams
Reynolds	Snell	Waldrop	Wise
Robertson	Therrell	Wallace	Wynot

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And the bill:

S. 778. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing for an additional clerk hire allowance for the offices of probate court within such counties.

As amended on the thirty-fourth legislative day, was again taken up.

Mr. Kinsey offered the following amendment # 2 to the bill, S. 778 as amended:

In Section 1 of the bill as amended, strike out the amount of "\$15,000" and insert in lieu thereof the following: \$16,000

And the amendment was adopted.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson	Porter
Adams	Downing	Jones (F)	Reed (T)
Barron	Edwards	King	Reynolds
Benton	Ellis	Kinsey	Robertson
Boutwell	Fite	Lutz	Slate
Brassell	Flippo	McBride	Smith (K)
Callahan	Gafford	McMillan	Snell
Carnes	Goodwin	McNair	Stewart
Carter	Grainger	Mathews	Therrell
Casey	Gray (F)	May	Turner
Cauthen	Grey (D)	Merrill	Waggoner
Chesnut	Hale	Naramore	Waldrop
Connell	Hardin	Nettles	Wallace
Coshatt	Harris	O'Daniel	Weeks
Cottingham	Headley	Owens	Williams
Crawford	Hearn	Parker	Wise
Cross	Hill	Perloff	Wynot
Culver	Hughes		

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And the bill, S. 778, as thus amended, was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Carnes	Crawford	Flippo
Adams	Carter	Cross	Gafford
Adwell	Casey	Culver	Goodwin
Bank	Cauthen	Downing	Grainger
Barron	Chesnut	Easters	Gray (F)
Bassett	Collins	Edwards	Grey (D)
Benton	Connell	Ellis	Hale
Boutwell	Coshatt	Erdreich	Hardin
Brassell	Cottingham	Fite	Harris

Headley	McMillan	Perloff	Therrell
Hearn	McNair	Porter	Turner
Hughes	Mathews	Reed (T)	Waggoner
Jackson	May	Reynolds	Waldrop
Jones (F)	Merrill	Robertson	Wallace
King	Naramore	Slate	Weeks
Kinsey	Nettles	Smith (K)	Williams
Lang	O'Daniel	Smith (P)	Wise
Lutz	Owens	Snell	Wynot
McBride	Parker	Stewart	

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BILLS POSTPONED

On motion of Mr. Kinsey, the bills, S. 825, S. 837, S. 838 and S. 839, were postponed to the thirty-sixth legislative day.

And the bill:

S. 878. Relating to all counties having a population of not less than 41,750 nor more than 45,000 according to the most recent federal decennial census, setting the salary for the County Solicitor or Deputy District Attorney.

Was taken up.

Mr. Williams offered the following amendment to the bill:

Amend S. 878, Section 1 by deleting the words "county governing body" in line 5 and insert in lieu thereof the following words: "District Attorney serving such counties".

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Crawford	King	Reed (T)
Adams	Cross	Kinsey	Robertson
Adwell	Culver	Lang	St. John
Agee	Doss	Lutz	Slate
Bank	Downing	McBride	Smith (K)
Barron	Edwards	McDonald	Smith (P)
Bassett	Ellis	McMillan	Snell
Benton	Erdreich	McNair	Stewart
Boutwell	Fite	Manley	Stokes
Brassell	Gafford	Mathews	Therrell
Callahan	Grainger	May	Turner
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Naramore	Waldrop
Casey	Hardin	Nettles	Wallace
Cauthen	Harris	O'Daniel	Warren
Chesnut	Headley	Owens	Weeks
Collins	Hearn	Parker	Williams
Connell	Hughes	Perloff	Wise
Coshatt	Jackson	Porter	Wynot
Cottingham	Jones (F)	Pruitt	

—79

And the bill, S. 878 as thus amended, was read a third time at length and passed.

REGULAR SESSION
35th Day

5049

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Downing	Kinsey	Reed (T)
Adams	Easters	Lutz	Robertson
Adwell	Edwards	McBride	St. John
Agee	Ellis	McCorquodale	Slate
Bank	Erdreich	McDonald	Smith (K)
Barron	Fite	McMillan	Snell
Bassett	Flippo	McNair	Stokes
Benton	Gafford	Manley	Stubbs
Boutwell	Grainger	Mathews	Therrell
Brassell	Grey (D)	May	Turner
Callahan	Hale	Merrill	Waggoner
Carnes	Hardin	Naramore	Waldrop
Carter	Harris	Nettles	Wallace
Casey	Headley	O'Daniel	Warren
Chesnut	Hearn	Owens	Weeks
Connell	Hill	Parker	Williams
Cottingham	Hughes	Perloff	Wise
Crawford	Jackson	Porter	Wood
Cross	Jones (F)	Pruitt	Wynot
Doss	King		

—78

And the bill:

S. 892. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal decennial census, authorizing the county commission to set the number of working days for the county board of equalization and to set and pay a travel allowance to the members of the board.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Roberts
Adams	Doss	Lutz	Robertson
Adwell	Downing	McBride	St. John
Agee	Easters	McCluskey	Smith (K)
Bank	Edwards	McDonald	Smith (P)
Barron	Ellis	McMillan	Snell
Benton	Falkenburg	McNair	Stokes
Boutwell	Fite	Manley	Stubbs
Brassell	Gafford	Mathews	Therrell
Callahan	Grainger	May	Turner
Carnes	Grey (D)	Merrill	Waggoner
Carter	Hale	Naramore	Waldrop
Casey	Hardin	Nettles	Wallace
Cauthen	Harris	O'Daniel	Warren
Chesnut	Headley	Owens	Weeks
Connell	Hearn	Parker	Williams
Coshatt	Hill	Perloff	Wise
Cottingham	Hughes	Porter	Wood
Crawford	Jackson	Pruitt	Wynot
Cross	Jones (F)	Reed (T)	

—79

And the bill:

S. 893. Relating to all counties having a population of not less than 35,000 nor more than 38,000 according to the last or any subsequent federal

decennial census, authorizing the county commission to pay from the county general fund the employer's share of the social security tax for the member of the board of equalization.

Was read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cross	Kinsey	Smith (K)
Adams	Culver	Lutz	Smith (P)
Adwell	Doss	McCluskey	Snell
Agee	Downing	McDonald	Stewart
Bank	Edwards	McMillan	Stokes
Barron	Ellis	McNair	Stubbs
Benton	Fite	May	Therrell
Boutwell	Gafford	Naramore	Turner
Callahan	Grainger	Nettles	Turnham
Carnes	Grey (D)	O'Daniel	Waggoner
Carter	Hale	Owens	Waldrop
Casey	Harris	Parker	Wallace
Cauthen	Headley	Perloff	Warren
Chesnut	Hearn	Porter	Weeks
Connell	Hughes	Roberts	Williams
Coshatt	Jackson	Robertson	Wise
Cottingham	Jones (F)	St. John	Wood
Crawford	King	Slate	Wynot

—72

And the bill:

S. 895. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing an annual expense allowance for the sheriff of such counties.

Was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Edwards	McBride	Smith (P)
Adams	Ellis	McCluskey	Snell
Adwell	Fite	McDonald	Stewart
Barron	Gafford	McMillan	Stokes
Benton	Goodwin	McNair	Stubbs
Boutwell	Grey (D)	May	Therrell
Carnes	Hale	Naramore	Turner
Casey	Harris	Nettles	Turnham
Cauthen	Headley	Owens	Waggoner
Chesnut	Hearn	Parker	Waldrop
Connell	Hill	Perloff	Wallace
Coshatt	Hughes	Porter	Weeks
Crawford	Jackson	Reid (R)	Williams
Cross	Jones (F)	Robertson	Wise
Culver	Kinsey	St. John	Wood
Downing	Lutz	Smith (K)	Wynot
Easters			

—65

REGULAR SESSION
35th Day

5051

And the bill:

S. 801. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361, as amended), which created and established the Court of Common Pleas of Lee County, by amending said Act to provide for a Small Claims Division of that Court.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Edwards	McBride	St. John
Adams	Fite	McCluskey	Slate
Agee	Gafford	McDonald	Smith (K)
Barron	Goodwin	McMillan	Smith (P)
Benton	Grainger	McNair	Snell
Brassell	Gray (F)	Manley	Stokes
Callahan	Hale	Mathews	Stubbs
Carnes	Harris	May	Taylor
Carter	Headley	Meeks	Therrell
Casey	Hearn	Naramore	Turner
Chesnut	Hill	Nettles	Turnham
Connell	Hughes	Owens	Waggoner
Coshatt	Jackson	Parker	Waldrop
Cottingham	Jones (F)	Perloff	Wallace
Cross	King	Porter	Williams
Culver	Kinsey	Pruitt	Wise
Doss	Lang	Roberts	Wood
Downing	Lutz	Robertson	

—71

NOTICE IN WRITING

Mr. McDonald filed the following Notice in Writing:

NOTICE is hereby given in accordance with Rule 6 that on the next legislative day, a motion will be made to amend Rule 45 of the House Rules to read as follows:

Rule 45: When a committee has decided adversely to any bill or resolution, such action shall be endorsed thereon and said bill or resolution reported to the house and placed on the adverse calendar. A motion may be made on any day following the reporting of such bill or resolution for such bill or resolution to be made the pending, paramount and unfinished business of the house, such motion requiring only a majority of the voting members to be adopted.

REPORT OF COMMITTEE OF CONFERENCE ON H. B. 619

We, the Committee of Conference appointed to reconcile the disagreement between the two houses concerning the Senate's substitute to H. B. 619 have met, considered the bill as substituted and have agreed to the following report:

1. We recommend that the Senate recede from its substitute to the bill.

2. We recommend that the bill as passed by the House be passed by both houses.

Respectfully submitted,

ROBERT D. TIMMONS,
CHRISS H. DOSS,
F. N. FALKENBURG,

Conferees on the part of the House.

JOHN H. HAWKINS, JR.,
DOUG COOK,
TOM KING,

Conferees on the part of the Senate.

AMENDMENT TO SUBSTITUTE TO H. B. 619

Amendment to Substitute to H. 619.

Amend H. 619 by deleting the last two paragraphs immediately preceding Section 4(b), said paragraphs commencing on page seven of said H. 619 and substitute in lieu thereof the following:

"At least sixty days prior to the convening of the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to each member of the House of Representatives and of the Senate of the Legislature of Alabama residing in any county or Senatorial District wherein there is established any pension system provided for by this Act the report and survey of a competent actuary stating his opinion as to the ability of the funds and resources of the said system to meet the benefits provided, which said report or survey shall consider the cost of each of the said benefits separately and severally. If the actuary concludes that any reduction in benefits is necessary in order to assure the solvency of the fund, then in his report he shall include his recommendations as to what reductions should be made, to the end that the said Board may make such reductions in benefits as may be required to assure the solvency of the said fund. It is expressly provided that no claim for any benefit provided for by this Act shall be an obligation against the city, or the General Retirement and Relief System, it being the intention and purpose of this Act that the only funds out of which the benefits provided for by this Act will be paid shall be the fund of this pension system which said system is established upon the petition of the firemen and policemen belonging to the said system, with the express understanding on their part that the firemen and policemen and the dependents of firemen and policemen claiming benefits hereunder shall look only to the fund hereby created for the payment of benefits provided and with the full understanding upon the part of said firemen and policemen that the benefits provided for hereby will be reduced if reduction thereof is required in order to assure the solvency of the said fund. The said actuarial report or survey shall contain the opinion of the said actuary as to whether he considers any change in the benefits necessary in order to assure solvency of the fund, and if so, what change or changes he considers necessary. After the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to the members of the House of Representatives and the Senate designated above a similar actuarial report or survey at least once every four years sixty days prior to the convening of a Regular Session of the Legislature of Alabama. The Board of Managers shall

have authority to secure other actuarial studies, investigations and reports at such other times as may seem proper to the Board. From the fund of the system the Board of Managers shall pay the cost of securing any such actuarial reports, surveys or investigations."

A BILL
TO BE ENTITLED
AN ACT

To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959, (Ala. Acts, 1959, p. 1376) as amended by Act No. 991 of the Regular Session of the Legislature of Alabama of 1971, approved September 7, 1971 (Ala. Acts, 1971, p. 1783), and amended by Act No. 1576 of the Regular Session of the Legislature of Alabama of 1971, approved September 17, 1971 (Ala. Acts, 1971 p. 2692), which Act established a pension and relief of retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts 1951, p. 1579) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the latest or any subsequent federal census.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 556, of the Regular Session of the Legislature of Alabama of 1951, enacted November 19, 1959 (Ala. Acts, 1959, p. 1376), as amended by Act No. 1576 of the Regular Session of the Legislature of Alabama of 1971, enacted September 17, 1971 (Ala. Acts, 1971, p. 2692) is amended so to read as follows:

Section 4. Board of Managers. There shall be a Board of Managers of three members for the administration, management and control of the Supplemental Pension System, including administration, management, control, acquisition and disbursement of the fund. The Board shall consist of the President of the governing body of the city, who shall be Chairman of the Board, and two associate members, designated respectively as "Member No. 1" and "Member No. 2". Member No. 1 shall be appointed by the Personnel Board. Member No. 1 shall be a person who at the time of his appointment is, and for a period of five consecutive years immediately preceding his appointment has been, an officer of, or the occupant of an executive position with, an insurance company issuing annuity policies and policies of disability insurance, the principal place of business of which insurance company is located within the city; provided, however, that if any such person is not available, the Personnel Board in appointing Member No. 1 shall select from the persons available that person who in the opinion of the Personnel Board is best qualified to discharge the duties of a member of the Board of Managers. Member No. 2 shall be elected from employees belonging to the Supplemental Pension System at an election to be held within sixty days from the date on which this Act becomes effective. The employee receiving a plurality of votes at the election shall be elected. At the first election to be held hereunder employees belonging to the System may vote for a fireman or policeman to hold the position to be occupied by Member No. 2 on the Board. In any election subsequent to the first election employees voting in such subsequent election shall not vote for any member of the System belonging to the same department

(that is fire department or police department; as the case may be) to which the person last elected Member No. 2 for a full term belonged at the time of his election. The purpose of the next preceding sentence is to rotate Member No. 2 between the fire department and the police department of the city. The governing body of the city shall have the authority to prescribe rules and regulations concerning the notice of and conduct of the election to select Member No. 2. Member No. 1 and Member No. 2 shall hold office for a period of four years, with the first term for both commencing on the date on which the first Member No. 1 and the first Member No. 2 have both been selected.

"If the commencement of the actual operation of the system hereby established is delayed, or deferred, as a consequence of the validity of this Act being called in to question in litigation the four year terms of Member No. 1 and Member No. 2 shall not be deemed to begin until the litigation is terminated."

"The Board shall meet on the second Thursday in each calendar month; provided, however, that the Board shall not be required to meet unless there is pending before the Board some application for a pension, relief or benefit or unless there is pending some other matter requiring consideration by the Board; and provided, further, that the Board by and through a resolution adopted by it may change the regular meetings from Thursday to such other time as may be convenient to the Board. Any two members of the Board, after due notice having been given to all members of the Board, may meet in special meeting and transact any business of the Board provided the Secretary shall be present and record the proceeding of the special meeting as hereinafter provided. The Board shall meet in the office of the Chairman, or such other place as the Board may designate."

"The personnel director shall be secretary of the Board and shall be present at every meeting of the Board, and keep a record of all proceedings of the Board and of all orders and decisions of the Board. Neither the secretary nor any member of the Board shall receive any salary or compensation for his services as such except Member No. 1, who shall receive ten dollars for each meeting attended, but not more than twenty dollars for meetings attended in any calendar month. Two members of the Board, when assembled in either regular or special meeting, shall constitute a quorum for the transaction of any and all business of the Board, and the affirmative vote of two members shall be necessary and sufficient to pass any motion or resolution. The Board is empowered to make rules and regulations not inconsistent with the provisions of the system in relation to its affairs and the system. The Board shall receive, investigate and pass upon all applications for retirement and disability and widow allowances and shall make retirement and disability and widow allowances in accordance with the system to all persons entitled thereto under the system, and its decision upon all matters of fact shall be final and conclusive unless it shall be affirmatively made to appear that its decision is plainly and manifestly wrong. The Board is authorized to borrow money up to the par value of the securities of the fund and to pledge such securities for repayment of the money borrowed. No money of the fund shall be invested, paid out or disbursed except pursuant to order or authorization of the Board. The Board shall be trustee, and have entire management and control of the fund, shall have sole and exclusive authority to invest its funds, and shall direct investment of monies of the fund not needed to meet disbursements provided for in this Act in the loans to members hereinafter referred to and in bonds of the United States, the State of Alabama and any municipality of

Alabama, and in bonds of corporations organized under Federal laws or under the laws of any State of the United States; provided, however, that no funds shall be invested in bonds, or common or preferred stocks and stocks of private corporations unless such bonds are listed upon exchanges subject to the jurisdiction of the Securities and Exchange Commission, and the aggregate par value of the funds invested in such bonds or common or preferred stocks and stocks of corporations last referred to above shall not exceed fifty (50%) per cent of the par value of all investments of the fund exclusive of loans to members. In addition to methods of removal hereinabove provided for, any member of the Board may be removed by impeachment for corruption or malreasance or misfeasance in office or for habitual neglect of duty. From the fund of the System created by this Act the Board of Managers shall pay to the fund of the General Retirement and Relief System the amounts hereinafter specified. When any fireman or policeman retires on length of service, as is hereinafter provided for in Section 8, the Board of Managers of this System shall pay from the fund of this System the amount specified in the next succeeding sentence during each month between the date on which such fireman or policeman retired and the date on which he would have been entitled to receive a retirement allowance from the General Retirement and Relief System for thirty (30) years service had he not retired, but had continued to serve without interruption as a member of the General Retirement and Relief System until entitled to receive from said last named system a retirement pension based on thirty (30) years service. The amount which the Board of Managers created by this Act shall pay to the fund of the General Retirement and Relief System, during the period specified in the next preceding sentence shall be the sum of the amount which the city would have deducted from the salary of such fireman or policeman and would have paid into the fund of the General Retirement and Relief System had such fireman or policeman continued to be employed by the city during the period specified in the next preceding sentence at the same salary from which the deductions were made by the city at the time he retired under Section 8 of this Act plus the amount which the city during the said last named period would have paid from funds of the city into the funds of the General Retirement and Relief System to match said salary deductions had the said fireman or policeman continued to work until entitled to retire on a pension based on thirty (30) years service as aforesaid.

At least sixty (60) days prior to the convening of the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to each member of the House of Representatives and of the Senate of the Legislature of Alabama residing in any county or Senatorial District wherein there is established any pension system provided for by this Act the report and survey of a competent actuary stating his opinion as to the ability of the funds and resources of the said system to meet the benefits provided, which said report or survey shall consider the cost of each of the said benefits separately and severally. If the actuary concludes that any reduction in benefits is necessary in order to assure the solvency of the fund, then in his report he shall include his recommendations as to what additional contributions should be made, to the end that the said additional contributions, to be borne by the city, to assure the solvency of the said fund. It being the intention and purpose of this Act that the only funds out of which the benefits provided for by this Act will be paid shall be the fund of this pension system which said system is established upon the petition of the firemen and policemen belonging to the said system, with the express understanding on their part that the fire-

men and policemen and the dependents of firemen and policemen claiming benefits hereunder shall look only to the fund hereby created for the payment of benefits provided. The said actuarial report or survey shall contain the opinion of the said actuary as to whether he considers any change in the rate of city contributions necessary in order to assure solvency of the fund, and if so, what change or changes in rate of city contributions he considers necessary. After the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to the members of the House of Representatives and the Senator designated above a similar actuarial report or survey at least once every four years sixty (60) days prior to the convening of a Regular Session of the Legislature of Alabama. The Board of Managers shall not employ the same actuary, or firm actuary, to make two consecutive reports or surveys required to be submitted to the members of the House of Representatives and Senator above designated. The Board of Managers shall have authority to secure other actuarial studies, investigations and reports at such other times as may seem proper to the Board.

From the fund of the system the Board of Managers shall pay the cost of securing any such actuarial reports, surveys or investigations.

“(b) As herein used in this Section 4, the following words and terms have the meanings ascribed to them: ‘the Board’ means the Board of Managers provided for by this Section 4; ‘the effective date of subsection (b)’ means the date on which this subsection (b) of Section 4 becomes effective; ‘this Act’ means Act 556, as amended; ‘the system’ means the pension system established by this Act; ‘the 3.50% proviso’ means the provisions of a contemplated amendment of this Act which amendment will require the city to pay three and one-half per centum (3.50%), instead of two and 35/100 per cent (2.35%), of the city salary of each fireman and policeman belonging to the supplemental pension system, subject, however, to the following limitations: (1) only that part of a fireman’s or policeman’s salary subject to deductions under Act 929 shall be counted in determining the amount of the payment the city is to make to said pension system fund; (2) the requirement that the city pay said three and one-half per centum (3.50%) shall apply only to those firemen and policemen who elect to become subject to the requirement; and (3) each fireman or policeman electing to become subject to the said requirement shall pay (by salary deductions) to the supplemental pension system fund a matching amount which shall be equal to the three and one-half per centum (3.50%) the city pays to the said pension system fund; ‘member electing the 3.50% proviso,’ means a member electing to become subject to the 3.50% proviso; ‘the additional payments to the system’ means the additional payments the city and a member subject to the 3.50% proviso make to the system fund on account of his becoming subject to the 3.50% proviso.

“(c) Within sixty days of the effective date of subsection (b), above, of this Section 4, the Board shall employ an actuary to render actuarial opinions on the questions below stated, which questions and opinions shall be based upon the assumption below given.

“The assumption given is that this Act will be amended so as to include the provisions the 3.50% proviso contains.”

“The first question on which the Board will secure an actuarial opinion pertains to the widow’s allowance for which subsection (d) of Section 8 of

this Act, as amended, provides, which the first question calls "the widow's allowance under Section 8'. The first question is the following:

(1) Assuming that the member electing the 3.50% proviso elects to have the additional payments to the system used to increase the amount of the widow's allowance for which Section 8 provides, to what extent would sound actuarial practice and analysis permit such widow's allowance to be increased?

"The second question on which the Board will secure an actuarial opinion pertains to the death benefit for widows and children, for which Section 9 of this Act, as amended, provides, and which the second question calls 'death benefits under Section 9.' The second question is the following:

(2) Assuming that the member electing the 3.50% proviso elects to have the additional payments to the system used to increase the death benefits under Section 9, to what extent would sound actuarial practice and analysis permit such death benefits to be increased?

"The third and fourth questions on which the Board will secure actuarial opinions pertain to the pension subsection (a) of Section 8 of Act 556, as amended, provides for members having at least twenty-five (25) years creditable time to receive from the system, which the third and fourth questions call 'the retirement pension under Act 556.' The third question on which the Board will secure the actuarial opinion is the following:

(3) Assuming that the member electing the 3.50% proviso elects to have the additional payments to the system used to increase the amount of his retirement pension under Act 556, to what extent would sound actuarial practice and analysis permit such pension to be increased? Assuming that the member electing the 3.50% proviso elects to have the additional payments to the system used to pay him an entirely new benefit (which will be in addition to the benefits provided by Act Numbers 556 and 929) said new benefit to be an additional pension for his life paid out of the fund set up by Act No. 556. The amount of said additional pension to be determined by a percent of his final average salary multiplied by the number of years of his creditable time in excess of twenty-five (25) years. What percent would sound actuarial practice and analysis permit?

(4) Assuming that the member electing the 3.50% proviso elects to have the additional payments to the system used to reduce the amount of creditable time required to entitle him to the retirement pension under Act 556, how much creditable time would sound actuarial practice and analysis require to entitle such member to the said retirement pension?

"The fifth question on which the Board will secure an actuarial opinion pertains to the pension payable to members of the system under Act 929, to which a member of the system becomes entitled under Act 929, upon acquiring thirty (30) years creditable time, or to which, after retiring under Act 556 on at least twenty-five (25) years service, he becomes entitled under Act 929 on the date on which he would have been in the service of the city for thirty (30) years if he had not retired on less than thirty (30) years service under Act 556. The fifth question calls the pension mentioned in the next foregoing sentence 'the pension under Act 929.' The fifth question is the following:

(5) Assuming that the member electing the 3.50% proviso elects to have the additional payments to the system used to supplement the pension under Act 929, to what extent would sound actuarial practice and analysis permit the pension under Act 929 to be increased?

"It is declared to be the Legislative policy that in addition to the five questions above stated the Board is to secure actuarial opinions on any other reasonable questions submitted to the Board by the members of the system as regards the extent to which present benefits of the system can be increased, consistently with sound actuarial practice and analysis in favor of a member electing to become subject to the 3.50% proviso."

"(d) Within four months from the effective date of this subsection (d) of this Section 4 the Board of Managers of the system shall transmit to each member of the House of Representatives representing the County wherein the city is located and to each Senator of the Senatorial District wherein the city is located, a copy of the actuarial opinions which subsection (b) of this Section 4 requires said Board to obtain and any other information which the Board considers material on the question of the increase in present benefits which should be made in favor of a member electing to become subject to the 3.50% proviso."

Section 2. Section 6 of Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959, (Ala. Acts 1959, p. 1376), is amended so to read as follows:

"Section 6. Retirement and Relief Fund. (a) For the purpose of the deductions from salary provided for in this Section 6 the salary of a fireman or policeman shall be deemed to be the same as his salary is for the purpose of payroll deductions provided for in Section 9 of Act No. 929, as heretofore or hereafter amended.

"(b) At the end of each payroll period subsequent to the effective date of this Act, the city shall deduct from the salary of each fireman or policeman for such payroll period an amount equal to two and 35/100 per centum (2.35%) of his salary for each such payroll period.

"(c) The city shall promptly pay each and every deduction of salary provided for into a Retirement and Relief Account hereinafter referred to as "The Fund." At the same time the city pays into the fund any deduction from the salary of any employee member, the city shall match such deduction by paying into the fund from its general and other appropriate funds and amount equal to the full amount of such deduction. The City Comptroller is specifically charged with the duty of making such deductions from salaries and of making such payments into the fund. The fund shall include all assets of the fund in any form, and the City Comptroller shall be ex-officio, the custodian of the fund. The custodian shall keep a separate account of the fund and of all assets and liabilities thereof and of all receipts and disbursements thereof and of all prior service time and paid membership time of employee members. The custodian shall keep all monies of the fund in a separate bank account. The custodian shall keep in force and effect a bond in a penal amount equal to the total amount of monies and securities in his custody or possession, but in no event in excess of ten percent (10%) of the total assets of the fund, payable to the Board and conditioned for faithful performance of his duties and for faithful accounting to the Board for all monies, securities and property coming into his custody or possession as such custodian.

Such bond shall be executed by a surety company authorized to do business in the State of Alabama, and the premium on such bond, and all necessary expenses of the Board, shall be paid out of the fund upon order of the Board. All bonds and securities acquired for the fund and which are registerable as to principal shall be registered by the custodian in the name of the system promptly upon acquisition and shall remain so registered until sold or otherwise disposed of by authority of the Board. The Board may select a banking institution located within the territorial jurisdiction of the city as subcustodian of securities, with authority to collect and remit to the custodian principal and interest of securities entrusted to its custody as the same may mature, and pay it such reasonable fees or compensation for its services as the Board may deem proper, and the Board may, if it sees fit, waive bond of such institution as subcustodian so long as the net worth of the subcustodian exceeds one and one-half times the total par value of the securities entrusted to its custody. Securities in the custody of such subcustodian shall not be counted as in the custody of the custodian for the purpose of computing the amount of the custodian's bond. The Board is authorized to accept and receive gifts, donations or legacies for the fund, and to administer same against the fund, the records of the City Comptroller and custodian made and kept for the purpose of this Act shall be deemed *prima facie*, to speak the truth.

Section 3. Section 8 of Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Ala. Acts, 1959, p. 1376), as heretofore amended, is further amended so as to read as follows.

"Section 8. Supplemental Retirement Allowance. The words, terms and phrases used in this Section 8 shall have the meaning ascribed to them by Act No. 929, unless it appears from the context that a different meaning is intended. No policeman or fireman shall receive the retirement allowance provided for by this Section prior to September 21, 1964; and no policeman or fireman shall receive the retirement allowance provided for by this Section until Act No. 929 has been amended so as to authorize the Board of Managers of the General Retirement and Relief System provided for by said Act No. 929 to receive from the Board of Managers created by this Act the payments provided for by Section 4 of this Act nor until said Act No. 929 has been amended so as to provide that any fireman or policeman who, regardless of age, has accumulated twenty (20) or more years of creditable time shall be entitled to voluntary retirement from the service and obtain the retirement allowance provided for in Act No. 929, subject, however, to the condition or limitation that payment of the retirement allowance under Act No. 929 shall not commence until the date on which such fireman or policeman would have accumulated thirty (30) years creditable time under Act No. 929 had he continued to remain in the service. After Act No. 929 has been amended as aforesaid, any policeman or fireman granted a voluntary retirement allowance under Act No. 929 on less than thirty (30) years creditable service, the payment of which allowance shall commence when he would have had thirty (30) years creditable time had he not retired, shall receive from the fund of the System created by this Act a monthly retirement allowance each month between the date on which he retires from service and the date on which he would have accumulated thirty (30) years creditable time had he not retired, which monthly retirement allowance shall be in an amount equal to fifty percent (50%) of his final average salary at the time of his retirement, plus one-half of one percentum ($\frac{1}{2}$ of 1%) of his final average salary multiplied by the number of years of his creditable time in excess of twenty (20) years of his creditable time. The payment of the retirement allowance pro-

vided for hereby shall cease on the date on which such fireman or policeman would have accumulated thirty (30) years creditable time in the General Retirement Relief System, created by Act No. 929, had he continued to serve from the date of his retirement.

Section 4. Section 9 of Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Ala. Acts, 1959, p. 1376) as heretofore amended, is further amended so to read as follows:

"Section 9. Death Benefit for Widows and Children. The words, terms and phrases used in this Section 9 shall have the meaning ascribed to them by Act No. 929, unless it appears from the context that a different meaning is intended. This Section shall not apply to any fireman or policeman unless such fireman or policeman, as the case may be, within the time hereinafter specified, designates the Board of Managers of the Supplemental Pension System to receive the return of contributions made by him to the General Retirement and Relief System, created by Act No. 929. Any fireman or policeman employed by the city on the date this act becomes operative as to the city shall make such designation within sixty days from said date; and any fireman or policeman entering the service of the city subsequent to the date on which this act becomes operative as to the city shall make such designation within thirty days from the date on which he enters the employ of the city as a fireman or policeman. This Section shall not apply as to any such fireman or policeman who after having designated the Board of Managers of the Supplementary Pension System, as aforesaid, changes the designation. This Section shall not be construed to provide any benefit for any widow or child of any deceased fireman or policeman under Act No. 929, whether such benefits be based on death in line of duty or on the fact that prior to the death of the fireman or policeman, as the case may be, he had accumulated sufficient creditable time to entitle him to receive a retirement allowance, it being the intention of this Section to provide benefits for widows and children of firemen and policemen, to the extent herein specified where such widows and children are not entitled to receive any benefits under said Act No. 929.

This Section shall not apply to any fireman or policeman, or to the widow or children of any such fireman and policeman unless such fireman or policeman, as the case may be, has accumulated five (5) or more years of creditable time at the date of his death. All of the provisions of this Section hereinafter set forth shall be subject to all of the conditions and limitations hereinabove set forth in this Section. If any fireman or policeman having five (5) or more years creditable time shall die, his widow, if any, without regard to the time during which the marriage existed, shall be entitled to a monthly allowance of forty per centum (40%) of the final average salary of such deceased member, plus a monthly allowance of Ten Dollars (\$10.00) per month for each child of such widow by such deceased member until such child shall marry, die or reach the age of eighteen (18) years, whichever may first occur. In the event such deceased member leaves no widow surviving or in the event of the death of his widow, the allowance provided hereby for any child of such deceased member shall be payable to the legal guardian or to the person who has legal custody of said child for the use and benefit of said child. The total amount of monthly allowance payable under this Section to the widow and child or children of the deceased member shall in no event exceed fifty per centum (50%) of the final average salary of such deceased member. In the event there is more than one child of such deceased member

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entitled to an allowance under this Section, the widow, if any, shall nevertheless receive forty per centum (40%) of the deceased member's salary, as provided hereinabove; and the allowances for the children, so long as there are a widow and more than one child receiving an allowance hereunder, shall be reduced equally so that in no event shall the total allowances paid under this Section exceed fifty per centum (50%) of the final average salary of such deceased member."

Section 5. This Act shall become effective immediately upon its approval by the Governor or upon its otherwise becoming a law.

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Timmons, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 619, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Doss	McBride	Smith (P)
Adams	Downing	McCluskey	Snell
Agee	Edwards	McDonald	Stewart
Bank	Falkenburg	McMillan	Stokes
Barkett	Fite	McNair	Stubbs
Barron	Flippo	Manley	Taylor
Benton	Goodwin	Mathews	Therrell
Boutwell	Gray (F)	May	Timmons
Brassell	Hale	Naramore	Turner
Callahan	Harris	O'Daniel	Turnham
Carnes	Headley	Owens	Waggoner
Carter	Hearn	Parker	Waldrop
Chesnut	Hill	Pruitt	Wallace
Connell	Hughes	Reed (T)	Warren
Coshatt	Jackson	Reid (R)	Weeks
Cottingham	Jones (F)	Roberts	Williams
Crawford	King	Robertson	Wise
Cross	Kinsey	St. John	Wood
Culver	Lutz	Smith (K)	

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And the bill:

H. 619. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959, (Ala. Acts, 1959, p. 1376) as amended by Act No. 991 of the Regular Session of the Legislature of Alabama of 1971, approved September 7, 1971 (Ala. Acts, 1971, p. 1783), and amended by Act No. 1576 of the Regular Session of the Legislature of Alabama of 1971, approved September 17, 1971 (Ala. Acts, 1971 p. 2692), which Act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts 1951, p. 1579) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the latest or any subsequent federal census.

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Culver	Kinsey	Robertson
Adams	Doss	Lutz	St. John
Agee	Downing	McBride	Slate
Bank	Edwards	McCluskey	Smith (K)
Barkett	Erdreich	McCorquodale	Smith (P)
Barron	Falkenburg	McDonald	Snell
Bassett	Fite	McMillan	Stewart
Benton	Flippo	McNair	Stokes
Boutwell	Goodwin	Manley	Stubbs
Brassell	Gray (F)	May	Therrell
Callahan	Hale	Meeks	Timmons
Carnes	Hardin	Naramore	Turner
Carter	Harris	Nettles	Turnham
Casey	Headley	O'Daniel	Waggoner
Chesnut	Hearn	Owens	Waldrop
Connell	Hill	Parker	Wallace
Coshatt	Hughes	Perloff	Weeks
Cottingham	Jackson	Pruitt	Williams
Crawford	Jones (F)	Reed (T)	Wise
Cross	King	Roberts	Wood

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REPORT OF COMMITTEE OF CONFERENCE ON H. B. 620

We, the Committee of Conference appointed to reconcile the disagreement between the two houses concerning the Committee's Substitute for H. B. 620 have met, considered the bill as amended, and have agreed to the following report:

1. We recommend that the Senate and House each recede from adoption of the bill.
2. We recommend that the attached substitute for the bill then be passed by both houses.

Respectfully submitted,

ROBERT D. TIMMONS,
CHRISS H. DOSS,
F. S. FALKENBURG,

Conferees on the part of the House.

JOHN H. HAWKINS, JR.,
DOUG COOK,
TOM KING,

Conferees on the part of the Senate.

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 620

A BILL TO BE ENTITLED AN ACT

To amend Act No. 929 of the Regular Session of the Legislature of Ala-

bama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.) entitled as amended "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Be It Enacted by the Legislature of Alabama:

Section 1. That Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.) entitled as amended: "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969 to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located," be and said Act is hereby amended to read as follows:

"ARTICLE I

ESTABLISHMENT OF PLAN

Section 1. Derivation and application. The provisions of this act are derived in part from one or more of Act No. 24 of the extra session of the legislature of 1936-1937, approved January 26, 1937 (Acts of 1936-37, page 20); Act No. 512 of the regular session of the legislature of 1939, approved September 21, 1939 (Acts 1939, page 795); Subdivision 10 of Article 16 of Chapter 4 of Title 62 of the 1940 Code of Alabama (Title 62, page 322); Act No. 334 of the regular session of the legislature of 1945, approved July 6, 1945 (Loc. Acts 1945, page 144); Act No. 237 of the regular session of the legislature of 1947, approved August 4, 1947 (Loc. Acts 1947, page 144); and Act No. 470 of the regular session of the legislature of 1949, approved August 25, 1949; but nothing in the derivation of provisions of this act or in the above statement of derivation shall be construed to render this act other than an act original in form. This act shall apply to cities which

have a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census, and shall not apply to any city of a lesser population according to such census.

Section 2. Retrospective Operation. The articles and sections of this act comprise a retirement and relief system for officers and employees of each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census, and, subject to the provisos hereinafter in this section contained, said articles and sections comprising such system for such officers and employees of each such city, shall be read, construed and have retrospective operation and effect as though enacted on the 26th day of January, 1937. Consistently, and subject to said provisos, every act, proceeding and transaction heretofore had, done, accomplished or attempted under or under color of any statute described in Section 1 shall be construed and deemed an act had, done, accomplished or attempted under the system, and the validity and effect thereof so measured and governed, and without limiting the generality of the foregoing, but still subject to said provisos, every contribution, return of contributions, refund, loan, investment, receipt, disbursement, debt, liability, contract, transaction and business to, from, of, with or affecting the pension and relief fund under any statute described in Section 1 or color thereof shall be construed and deemed as a contribution, return of contribution, refund, loan, investment, receipt, disbursement, debt, liability, contract, transaction or business to, from, of, with or affecting the retirement and relief fund under the system. The foregoing provisions of this section shall be subject to the following provisos: (a) Any sentence of the system which contains the phrase "September 19, 1939" shall be read, construed and have operation and effect as though enacted for the first time on September 19, 1939. (b) Any sentence of the system which contains the phrase "July 1, 1945," shall be read, construed and have operation and effect as though enacted for the first time at July 1, 1945. (c). The legal effect of any payment heretofore made by any pension and relief or retirement and relief fund referred to in this act shall be measured by the law as it actually existed at the time of such payment, and any debt or liability, whether for return of contributions or otherwise, discharged by any such payment shall not be revived by anything contained in the system and shall not constitute the basis of any claim under the system against the retirement and relief fund provided for in this act. (d). The rights of any person who shall retire hereafter or who shall have retired heretofore from the service of his municipal employer, either voluntarily or involuntarily, and who shall be or shall have been allowed retirement benefits under the statute or system actually in existence at the time of such retirement shall, during continuance of such retirement, continues to be measured and governed by the terms of the statute or the system so in existence at the time of such retirement, and should such person die during continuance of such retirement the rights of any widow of such person shall be measured and governed by the terms of the statute or of the system in effect at the time of death of such person, and the retirement and relief fund provided as a part of the system shall secure such rights of such person and such widow. (e). Except as otherwise expressly provided in this section or in the system, the rights of any person who may or may have become separated from the service, and the rights of any privies of such person, shall be measured and governed by the statutes or of the system in effect at the time of such separation.

Section 3. Purpose of the System. The general purpose of the system embraced in the articles and sections of this act is the governmental one of

promoting efficiency of employees in the service by partially relieving their minds of harassing fear of the consequences of loss of employment through disability, old age and otherwise and by furnishing trained employees a partial incentive to remain in the service during their years of presumptively increasing efficiency and a partial incentive to voluntarily retire and be replaced during their years of presumptively declining efficiency.

ARTICLE II
DEFINITIONS

Section 1. **DEFINITIONS.** The following words, terms and phrases, wherever used in this Act, including this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

"The City." This term shall mean and have reference to each such city, separately, as may have a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census.

"The Board of Health." The county board of health whose territorial jurisdiction includes the territory of the city.

"The system." The system provided by and comprised within the articles and sections of this Act, and such system shall be the system applicable in and for each such city, individually, as may have a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census.

"Date of establishment." Date of establishment of the system for a city. The date of establishment of the system for each city which has a population of two hundred and fifty thousand or more inhabitants according to the federal census next preceding the passage of this Act shall be deemed September 1, 1937. The date of establishment of the system for each such city as does not have a population of two hundred and fifty thousand or more inhabitants according to the federal census next preceding the passage of this Act, but which may have such a population according to any federal census succeeding the passage of this Act, shall be deemed the date upon which such city first reaches such population according to such succeeding federal census.

"The fund." The retirement and relief fund provided for as a part of the system, and shall include assets in the form of money and in other forms.

"Employer." The City.

"Employee." A person between whom and the city there exists the technical relationship of employer and employee, whether such person be employed through the principal governing body of the city or through a subsidiary body such as a park board.

"Qualified Employee." Any person who on or after the date of establishment, is employed by the City as a full time employee in a job other than as

- a) an officer elected by the people;
- b) a common laborer;
- c) a member of the library, museum, park, zoning adjustment boards or similar boards with active duty on an intermittent basis (i.e., not regularly upon successive business days).

"Fire and Police Employee." Any person who, on or after the effective date of this Plan, is employed by the City as a full time fireman or policeman.

"Full Time Employee." A salaried employee who is normally scheduled to work sixteen (16) days per month or more.

"Participant." A qualified employee who participates in the System under Article IV hereof.

"Employee member." A person who is simultaneously a qualified employee and a participant.

"In the service." In the service of the city. A person shall be deemed in the service of the city while the technical relationship of employer and employee subsists between him and the city.

"In the classified service." In the classified service as defined in any civil service statute or rule now or hereafter applicable to the city, and for the purposes of this Act only shall include full time recorders, regularly assigned to the trial of cases.

"Effective Date." The date of establishment.

"Anniversary Date." The date of establishment and the month and day thereof annually thereafter.

"Fiscal Year." The accounting year of the System which shall run from each September 1 through the August 31 next following.

"Past Service Credit" or "Prior Service Time." The credit given a Participant for employment with the City prior to the Effective Date except for such period of time for which the employee received no pay from the City.

"Future Service Credit" or "Paid Membership Time." The credit given a Participant for employment with the City subsequent to the Effective Date for which he shall have made contributions to the Fund through payroll deductions or direct payments where authorized.

"Basic Monthly Earnings" and "Monthly Salary." Basic monthly compensation exclusive of overtime pay but including longevity pay.

"Final Average Salary." The average of the four (4) consecutive years of highest compensation in the ten (10) years immediately preceding retirement after the effective date of this plan divided by twelve (12) months.

"Total Covered Payroll." The total of the basic annual salaries plus annualized longevity pay, but excluding overtime or other forms of extra compensation, of all Participants in the System at any point in time.

"Payroll Period." A period of time for which a payment of salary is ordinarily made with respect to a qualified employee.

"Board of Managers." The administrative board of the System as provided in ARTICLE III hereof.

"The Board." The Board of Managers as herein provided.

"The City Comptroller." The employee of the City whose duties are those of treasurer or chief financial employee.

"The custodian." The custodian of the fund.

"The Personnel Director." The Personnel Director provided for the city by statute or, if there be no such Personnel Director, the City Clerk, the custodian, or another, as the Board may determine.

"Council" or "City Council." The Governing body of the City.

"Clerk" or "city Clerk." The City Clerk of the City.

"The County." The County in which the City is located and if the City is located in more than one county, then that County in which the major portion of larger part of the City is located.

"Civil Defense Agency." Any public organization, agency, or authority organized or existing pursuant to state law and exercising Civil Defense Functions within the city or within the city and elsewhere in the county.

"Civic Center" or "Civic Center Authority." Any public corporation, authority or agency organized pursuant to State Law for the purpose of providing, constructing, operating, and maintaining a Civic Center in the County in which the City is located or in the City.

"Retiree." A former Participant who has been granted a retirement allowance or a disability allowance by the Board.

"Credited Service" or "Creditable Time." The credited service or creditable time of a Participant or employee member shall include all his paid membership time and all of his prior service time.

"Mayor." The Mayor or Chief Executive Officer of the City.

"The Personnel Board." The Board of Control of any Civil Service System provided for the City by statute or, if at any time there be no such Board of Control, then the Governing Body of the City.

Widow shall include Policewoman, and Fireman shall include a fem-wife, Policeman shall include Policewoman, and Fireman shall include a female employed in the position of a fireman.

Words written in the "singular" shall include the "plural," words in the "plural" shall include the "singular," words of the masculine gender shall include the feminine gender and words of the feminine gender shall include the masculine gender unless the context shall clearly and absolutely indicate a restrictive meaning.

ARTICLE III ADMINISTRATION OF PLAN

Section 1. Board of Managers.

The System shall be administered by a Board of Managers consisting of five (5) members as follows:

- (1) The Mayor of the City, who shall serve as Chairman;
- (2) A member appointed by the Personnel Board of the City;
- (3) A Participant in the System who shall be elected by the Participants in the System;

(4) A member appointed by the Mayor;

(5) A person who is not a Participant in the System who shall be elected by the Participants in the System.

Section 2. Method of Selection and Term of Appointment of Board Members.

The members of the Board of Managers, other than the Mayor who shall always serve as Chairman, shall be selected and shall serve for the term as hereafter set forth.

(1) The member appointed by the Personnel Board shall be a bona fide resident and qualified voter of the City and shall serve a four (4) year term. Should said appointed member die, resign or otherwise be unable to serve, the vacancy thus created shall be filled by the Personnel Board for the unexpired term.

(2) The first of the two members elected by the Participants in the System shall himself be a Participant in the System and shall be a bona fide resident and qualified voter of the City. In order to assure representation of all Participants in the System, if the person first elected is a member of the Fire Department or Police Department, the Participant elected to fill the next term shall be a Participant who is not an employee of the Fire Department or Police Department. Similarly, if the first member thus elected should not be an employee of the Fire Department or Police Department, the Participant elected to fill the next term shall be a Participant who is an employee of the Fire Department or Police Department. Thereafter this member shall alternate between the two groups (i.e., Fire Department or Police Department and other than the Fire Department or Police Department). In the event the Participant thus elected shall die, resign or otherwise be unable to serve, the Participant elected to fill the unexpired term shall be from the same group as was the Participant whose term as a member of the Board of Managers was vacated.

This Participant-member of the Board shall be elected by secret ballot to serve a term of four (4) years commencing on the day the result of the election is declared. The Council shall have the authority to prescribe and to change rules and regulations concerning the election of said Participant-member provided that the rules and regulations as prescribed or changed are not inconsistent with this Act.

(3) The member appointed by the Mayor shall have more than ten (10) years' experience in an executive capacity in insurance, actuarial, investment or banking work, shall be a bona fide resident and qualified voter of the County and shall serve for a four (4) year term.

(4) The second member elected by the Participants in the System shall not be a Participant in this System, shall have more than ten (10) years' experience in an executive capacity in insurance, actuarial, investment or banking work and shall be a bona fide resident and qualified voter of the County.

This non-Participant member of the Board shall be elected by secret ballot to serve a term of four (4) years. The election shall be called by the Council after thirty (30) days' notice. Nominations of persons to fill this position shall be made in writing by Participants in this System and shall be filed with the Council and the City Clerk of the City no less than ten (10) days prior to the date of the election.

In the event of a vacancy occurring during a term of this member of the Board of Managers, a replacement shall be elected by Participants in this System in the same manner as that set forth in this sub-section (4).

Section 3. Meetings of the Board of Managers.

The Board of Managers shall meet on the second Wednesday in each calendar month in the office of the Chairman or such other place as the Board may designate; provided, however, that the Board shall not be required to meet unless there is pending before the Board an application for a pension, relief or benefit or unless there is pending some other matter of consideration by the Board. The Board of Managers by virtue of a resolution adopted by it may change the regular meeting from Wednesday to such other date as may be most convenient to the Board.

Section 4. Special Meetings of the Board of Managers.

Any three Board members, after due notice having been given to all members of the Board, may meet in special meeting and transact any business of the Board; provided, however, the Secretary must be present and record the proceedings of the special meeting as hereinafter provided.

Section 5. Secretary of the Board.

The Personnel Director shall be Secretary of the Board and shall be present at every meeting of the Board and keep a record of all proceedings of the Board and of all orders and decisions of the Board.

Section 6. Quorum.

Three members of the Board, when assembled either in regular or special meeting, shall constitute a quorum for the transaction of any and all business of the Board and the affirmative vote of three members shall be necessary and sufficient to pass any motion or resolution.

Section 7. Compensation of Members of the Board.

The member of the Board of Managers appointed by the Personnel Board, the member of the Board of Managers appointed by the Mayor and the non-participant member of the Board of Managers elected by the Participants in the System shall receive Ten Dollars (\$10) for each meeting attended but in no event shall receive more than Twenty Dollars (\$20) for all meetings attended in any one calendar month. No other member of the Board nor the Secretary shall receive any compensation whatever for so serving.

Section 8. Powers and Duties of the Board.

The Board shall have such powers as are necessary for the proper administration of the System including, but not limited to, the following:

(1) To prescribe procedures to be followed by Participants, and their beneficiaries, in filing applications for benefits and for the furnishing of evidence necessary to establish employees' rights to such benefits;

(2) To make determinations as to the rights of any Participant or their beneficiaries applying for or receiving benefits, and to afford any such individual dissatisfied with any such determination the right of a hearing thereon;

(3) To develop procedures for the establishment of Credited Service of Participants, and, after affording Participants and opportunity to make objec-

tion with respect thereto, to establish such service conclusively in advance of retirement;

(4) To retain and pay from the fund for the services of a consultant and actuary.

(5) To receive and pay from the fund for periodic (not more often than once a year) actuarial valuations of the Plan;

(6) To retain and pay for from the fund the services of an investment advisor.

(7) To retain and pay for from the fund the services of an accountant or auditor.

(8) To obtain from the City the Plan consultants and actuaries, if any, and from the Participants such information as shall be necessary for the proper administration of the Plan and pay from the fund any reasonable expense incurred in connection therewith;

(9) To retain and pay for from the fund the services of such additional professional counsel as the Board may deem necessary for the proper management and administration of the System.

Any member of the Board may serve beyond his term until a successor is appointed or elected. Any member of the Board may be removed by impeachment for corruption, malfeasance in office, or for habitual neglect of duty.

Section 9. The Fund and its Investment.

(a) The fund shall include all assets of the fund in any form, and the city comptroller shall be, ex officio, the custodian of the fund. The custodian shall keep a separate account of the fund and of all assets and liabilities thereof and of all receipts and disbursements thereof and of all prior service time and paid membership time of employee members. The custodian shall keep all monies of the fund in a separate bank account. The custodian shall keep in force and effect a bond in a penal amount equal to the total amount of monies and securities in his custody or possession, but in no event in excess of fifty thousand dollars (\$50,000), payable to the Board and conditioned for faithful performance of his duties and for faithful accounting to the Board for all monies, securities and property coming into his custody or possession as such custodian. Such bond shall be executed by a surety company authorized to do business in the State of Alabama, and the premium on such bond, and all necessary expenses of the Board, shall be paid out of the fund upon order of the Board. All bonds and securities acquired for the fund and which are registerable as to principal shall be registered by the custodian in the name of the system promptly upon acquisition and shall remain so registered until sold or otherwise disposed of by authority of the Board. The Board shall select a banking institution located within the territorial jurisdiction of the city as subcustodian of securities, with authority to collect and remit to the custodian principal and interest of securities entrusted to its custody as the same may mature and pay it such reasonable fees or compensation for its services as the Board may deem proper, and the Board may, if it sees fit, waive bond of such institution as subcustodian so long as the net worth of the subcustodian exceeds one and one-half times the total par value of the securities entrusted to its custody. Securities in the custody of such subcustodi-

an shall not be counted as in the custody of the custodian for the purpose of computing the amount of the custodian's bond. The Board is authorized to accept and receive gifts, donations, or legacies for the fund, and to administer same as may be directed by the donors. In the adjudication of claims against the fund, the records of the city comptroller and custodian made and kept for the purpose of this act shall be deemed prima facie, to speak the truth.

(b) The Board of Managers shall have the sole and absolute discretion, if they deem it advisable to invest, reinvest and have invested and reinvested all funds of the System, real and personal subject to the limitations herein provided. The Board is authorized to borrow money up to the par value of the securities of the fund and to pledge such securities for repayment of the money borrowed. No money of the fund shall be invested, paid out or disbursed except pursuant to order or authorization of the Board. The Board shall be trustee, and have entire management and control of the fund, and shall direct investment of monies of the fund not needed to meet disbursements provided for in this Act in the loans to members hereinabove referred to and in bonds of the United States Government, or general obligation bonds of the State of Alabama, or general obligation bonds of any municipality or county of the State of Alabama, or in Federal Savings and Loan Associations, or in other corporations having Federal Savings and Loan Association's guarantee, or in bonds or common or preferred stock of corporations organized under Federal laws or the laws of any State of the United States, or may invest in certificates of deposit or bonds issued by banks organized under Federal laws or under laws of the State of Alabama; provided, however, that not more than ten thousand dollars shall be invested in any one Federal Savings and Loan Association; or in any one corporation having Federal Savings and Loan Association's guarantee; and provided, further, that no funds shall be invested in bonds or common or preferred stock of private corporations unless such bonds or common or preferred stock are listed upon Exchanges subject to the jurisdiction of the Securities and Exchange Commission and the aggregate value of the funds invested in such bonds and stocks of corporations last referred to above shall not exceed fifty per cent (50%) of all the funds available in the system for investments, nor shall the total investment in common or preferred stocks of such corporations exceed twenty-five per cent (25%) of all the funds available in the system for investments.

Section 10. Legislative Reports.

In addition to periodic actuarial valuations of the Fund which the Board may from time to time require, the Board shall, prior to the first day of March of every uneven year, transmit to each member of the Alabama House of Representatives representing the County or any part thereof, and to each member of the Alabama Senate from every Senatorial District within the County or partly within the County an actuarial analysis of the System as of the end of the City's fiscal year immediately preceding said report specifically answering the following questions:

(1) Are the contributions to the Fund sufficient to pay the benefits provided herein? If not, what additional contributions are necessary?

(2) Are the benefits provided herein sufficient in amount to consume the contributions required herein, or are they as large as to render the Fund insolvent and in the event of the finding of either contingency, what adjustments should be made?

(3) What provision should be made either in contributions by employees or by the City to render the Fund solvent with respect to allowances made for prior service?

In addition to the foregoing, the Board of Managers shall transmit to said Representatives and Senators the following:

(1) A draft of such laws as the Board deems necessary to keep or make the Fund actuarially solvent, and of such laws as the Board believes would improve the Pension System; and

(2) A recital of the reasons for the recommendation of the proposed laws; detailed and specific recommendations as to what benefits should be reduced, or what additional contributions should be made, to the end that the Fund will be solvent, safe and sound for the protection of the employees covered thereby.

Section 11. Appeal of Decisions of the Board.

Any decision of the Board denying a benefit claimed may be subject to review by the Circuit Court, in the manner and subject to the limitations, herein provided. An employee may secure a review of such decision of the Board by mandamus proceedings in the Circuit Court, which he shall institute in said Court by filing therein a petition for mandamus. Said petition may designate the Board as respondent or the members thereof as respondents. Each respondent shall be served with process, unless such respondent or his or its attorney accepts service.

The petition for mandamus shall be barred if it is not filed within ninety (90) days from the date whereon the Board of Managers makes its final decision on the benefit claimed, provided written notice of such final decision of the Board shall be given by certified or registered mail, postage prepaid, and properly addressed, to the claimant or his attorney within ten (10) days after such final decision of the Board. If timely notice shall not be given as provided in the last preceding sentence, claimant shall not be barred from filing mandamus until the expiration of eighty (80) days from the mailing of notice as above provided; but in no event anything therein to the contrary notwithstanding shall said mandamus be filed after one year from the date of such final decision of the Board; provided further that no such final decision made by the said Board prior to January 1, 1969, shall be subject to review by mandamus or otherwise unless permitted by the law in effect at the time such decision was made and then only in the manner permitted by said law in effect on said date; provided further that any such final decision made by the Board after January 1, 1969, and prior to the effective date of this Act shall be governed by the eighty (80) day clause of the last preceding sentence, but in such case such mandamus proceeding shall not be filed after one year from the effective date of this Act.

In the proceedings in the Circuit Court any evidence relevant on any issue involved in the review shall be admissible, subject to the ordinary rules of evidence.

If the submission in the mandamus proceedings is solely upon the proceedings before the Board, the decision of the Board upon all matters of fact shall be final and conclusive, unless it affirmatively appears that its decision is plainly and manifestly wrong.

If in the Circuit Court evidence is received, in addition to that considered by the Board, the decision of the Board upon all matters of fact shall, nevertheless, be final and conclusive, except to the extent limited by the next following sentence. If the Circuit Court after hearing all the evidence offered determines that had the decision rendered by the Board been rendered after hearing such evidence that such decision would not have been manifestly wrong, then the Circuit Court shall sustain the decision of the Board, and if the Circuit Court, after considering all the evidence determines that the decision rendered by the Board would have been manifestly wrong had such decision been rendered after considering all the evidence considered by the Circuit Court, then in that event the Circuit Court shall render the decision which that Court concludes should be rendered on all the evidence considered by that Court. The provision of Section 8 of ARTICLE VI prohibiting a resolution of the Board allowing an extraordinary disability benefit unless such resolution be passed within twelve (12) months after the accident resulting in disability shall not be construed to prohibit the Circuit Court in a mandamus proceeding from rendering a judgment in favor of the claimant for extraordinary benefits even where the Circuit Court shall direct the Board to adopt a resolution in favor of the claimant in compliance with such judgment of the Circuit Court.

Section 12. Repeal and Amendment Reservation.

The Legislature reserves the power to amend, alter or repeal this act, provided, however, that if any person who may be entitled to voluntarily retire and obtain a retirement allowance under this act shall so voluntarily retire before exercise of said reserved power he shall have a contractual lien upon the Fund for each and every amount to which he may be or become entitled in accordance with the terms of the law existing at the time of such voluntary retirement, and provided, further, that if any employee member becomes totally disabled before exercise of said reserved power, he shall have a contractual lien upon the Fund for each and every amount to which he may be or become entitled in accordance with the terms of the law existing at the time of commencement of such disability.

ARTICLE IV

ELIGIBILITY TO PARTICIPATE

Section 1. General Rule—Classified Service.

Each Qualified Employee of the City who is in the classified service including each Qualified Employee in the classified service of the police and fire departments shall be a Participant in the System, except as provided in Section 2 of this Article.

Section 2. Exception to General Rule—Classified Service.

Anything herein to the contrary notwithstanding, no member of the pension system provided by the following legislation, if such legislation is applicable to the City, shall be a member of the system:

(a) The Policemen's Pension and Relief Plan provided by Act No. 502 of the 1923 Session of the Legislature of Alabama, as amended or codified;

(b) The Firemen's Pension and Relief Plan provided by Act No. 307 of the 1943 Session of the Legislature of Alabama, as amended (General Acts of Alabama of 1943, page 264);

(c) The Limited Policemen's Retirement and Relief System provided by Act No. 470 of the 1955 Regular Session of the Legislature of Alabama, as amended (Acts of Alabama of 1955, page 1067); and

(d) Limited Firemen's Pension and Relief System provided by Act No. 217 of the 1966 Special Session of the Legislature of Alabama, as amended (Acts of Alabama, Special Session 1966, page 280).

Section 3. General Rule—Unclassified Service.

Each Qualified Employee of the City who is in the unclassified service shall be eligible to participate in the System provided he shall elect in writing to so participate within fifteen (15) days of his first becoming a Qualified Employee in the unclassified service.

Section 4. Withdrawal from System—Classified Service.

A Participant in the System who is in the classified service shall continue to a Participant without the right of withdrawal so long as he shall continue in the classified service. However, should such Participant cease to be in the classified service, but be employed in the unclassified service, he shall have the right to, but shall not be required to, withdraw from the System by filing an election thereof in writing with the City Comptroller. In such event he shall be entitled to a refund of contributions as provided in Section 16 of ARTICLE VI hereof and shall lose all previously established pension credit under the System.

Section 5. Withdrawal from System—Unclassified Service.

A Participant in the System who is in the unclassified service shall have the right to withdraw from the System while remaining in the service by filing a written application for withdrawal with the City Comptroller. In such event, he shall be entitled to a refund from the System of an amount equal to the total of his contributions to the System less any and all benefits received from the System, and said former Participant shall lose all previously established pension credit under the System and shall thereafter be ineligible to participate in the System while continuing in the unclassified service.

Section 6. Transfer from Unclassified to Classified.

A Participant transferring from the unclassified service to the classified service shall lose the right of withdrawal as provided for Participants in the unclassified service as set forth in Section 5 of this ARTICLE IV and shall continue as a Participant in the System as though his total credited service under the System had been as a classified employee. In the event that a Qualified Employee in the unclassified service who is not a Participant in the System shall transfer to the classified service, he shall not receive any pension credit for service subsequent to the Effective Date and prior to the date he became a Participant by virtue of his transferring to the classified service.

Section 7. Transfer of Member of Policemen's and Firemen's Pension and Relief Plan.

In the event of the transfer of a member of any of the Pension plans referred to in Section 2 of this Article IV to a department of the City other than the Police or Fire Department, he shall become a Participant in the System, his credited service under said predecessor plan shall be counted as credited service under the System, and his contributions to said Plan subsequent

to the Effective Date, plus the City's contributions thereto in his behalf, shall be transferred to the fund of the System.

Section 8. Re-Employment.

In the event a Participant should cease to be a Participant hereunder, should elect a return of his contributions as provided in Section 16 of ARTICLE VI hereof and should be thereafter again become a Participant hereunder, he shall have the right to elect to have his previously credited service reinstated. Should he so elect, he shall be liable to the Fund for the amount of the contributions previously refunded to him and the City Comptroller shall deduct said liability from his salary in twenty (20) monthly installments of an approximately equal amount including interest from the date of such refund of contributions at such rate as the Board may from time to time determine. Alternatively, the City Comptroller shall be authorized to set such monthly installments, including interest as herein specified, over such lesser number of months as will provide for monthly installments of no less than Ten Dollars (\$10.00).

ARTICLE V

PARTICIPANTS' AND CITY'S CONTRIBUTIONS

Section 1. Participants' Contributions.

Each Participant shall contribute to the cost of the System, and the City shall deduct from his salary an amount equal to seven percent (7%) of his actual monthly salary and said deductions by the City shall immediately be paid into the Fund. Should the City through error, inadvertence or otherwise, neglect to make proper deduction from the fund from the salary of any employee member for any payroll period the employee member shall be liable to the fund for the amount or amounts that should have been deducted and shall pay said amount to the custodian on demand.

Section 2. City's Contributions.

At the same time the deductions attributable to Participants' contributions are paid into the Fund, the City shall pay into the Fund from its general or otherwise appropriate funds its Current Service Cost and its Past Service Cost to be determined as of the date of the commencement of each fiscal year of City as follows:

a. The actuaries shall determine the Normal Cost of the benefits provided by the System;

b. From the Normal Cost shall be subtracted the value of the Participants' contributions in the previous Fiscal Year;

c. The remainder thus arrived at shall be divided by the total covered payroll of all Participants as of the first day of the Fiscal Year, the resultant percentage shall be called the "Current Service Percentage" and the Current Service Percentage shall be multiplied by the total covered payroll of all Participants at the end of each Payroll Period to determine the City's "Current Service Cost" for the Payroll Period;

d. The actuaries shall determine the single sum of unfunded Accrued Liability and shall amortize it from that date over a period of thirty (30) years.

e. The unfunded Accrued Liability as amortized over thirty (30) years shall be divided by total covered payroll of all Participants, the resultant percentage shall be called the "Past Service Percentage" and the Past Service Percentage shall be multiplied by the total covered payroll of all Participants at the end of each Payroll Period to determine the City's "Past Service Cost" for the Payroll Period.

Section 3. Contributions Previously Required.

Anything herein to the contrary notwithstanding, contributions of Participant and the City in effect immediately prior to the adoption of this amendatory Act shall continue to be deducted and paid into the Fund until such time as the percentages provided for in Section 2 of this Article V are determined as there required.

Section 4. New Participants—Credit for Service with County or Other Municipality.

In the event a Qualified Employee becoming a Participant herein on or after September 1, 1969 shall have prior thereto been employed by the County under the provisions of a merit system applicable to the County or any municipality in the County under the provision of the merit system applicable to such municipality, he may receive credit for said prior service by paying to the City Comptroller within sixty (60) days after becoming a Participant an amount to be determined as follows:

a. There shall first be determined the salary paid said Participant each month by the County or such municipality;

b. There shall then be computed the contribution which would have been deducted had such salary been paid by the City, said contribution and deduction being determined in accordance with the provisions of this Act on the date he became a Participant in the System;

c. There shall then be determined the total of interest at the rate of four per cent (4%) per annum on the deductions which would have been made from the date they would have been made had such salary been paid by the City to the date he became a Participant in the System, and

d. The total of the deductions which would have been made plus interest at the rate of four per cent (4%) per annum as both are determined in this Section 4, shall be the amount payable.

Section 5. Retirees of Firemen's and Policemen's Supplemental Pension System.

In the event of the retirement of a Policeman or a Fireman from a Supplemental Pension System, as established by Act No. 556 of the Legislature of Alabama of 1959, with twenty (20) or more but less than thirty (30) years of credited service under said System, this System shall receive from said Supplemental Pension System the monthly payments required to be paid from said System to this System from said policeman's or fireman's retirement date thereunder until the date he would have been entitled to retire under this System with thirty (30) years of credited service had he continued to serve without retiring and without interruption as a Participant in this System. The City shall then match said contributions from its general fund or

other appropriate funds making said matching contributions to the Fund within thirty (30) days from the date of receipt of those funds which are to be matched.

Section 6. Refund of Erroneous Contributions.

In the event contributions shall have been deducted from an employee who is not a Participant herein and shall have been paid into the Fund, said deductions shall be refunded to said employee. Similarly, any contributions made to the Fund by the City on behalf of said non-participating employee shall be refunded to the City.

**ARTICLE VI
BENEFITS**

Section 1. Normal Retirement Benefit.

A Participant, having attained age sixty (60) or older and having completed fifteen (15) or more years of credited service, or having completed thirty (30) or more years of credited service without regard to age, shall be entitled upon his voluntary retirement to a monthly retirement benefit equal to one of the following:

a. Participants On or Before the first day of July Nine Years After Date of Establishment.

With respect to a Retiree who first became a Participant on or before the first day of July after nine years after date of establishment forty per cent (40%) of his Final Average Salary, plus one and three thousand three hundred thirty four thousandths percent (1.3334%) of his Final Average Salary multiplied by his years of credited service in excess of fifteen (15) years.

b. Participants after the first day of July Nine Years after Date of Establishment.

With respect to a Retiree who first became a Participant subsequent to the first day of July after nine years after date of establishment, two percent (2%) of his Final Average Salary multiplied by his years of credited service. Subject to the provisions of Section 19 of this ARTICLE VI, the amount of any retirement benefit provided under the provisions of this section which may have commenced to accrue in accordance with the provisions of the System shall continue to accrue throughout the life of the Retiree.

Section 2. Maximum Normal Retirement Benefit.

The maximum Normal Retirement Benefit payable under the preceding Section 1 shall be sixty per cent (60%) of Final Average Salary.

Section 3. Participants With Less than Fifteen Years Service.

In the event a Participant with ten (10) or more but fewer than fifteen (15) years of credited service shall be terminated as a Qualified Employee subsequent to January 1, 1967 due to his having attained the age at which termination of his service as a Qualified Employee is mandatory under any law now or hereafter in effect, he shall be entitled to a monthly retirement benefit equal to two percent (2%) of his Final Average Salary multiplied by his years of credited service.

Section 4. Participants With More than Thirty Years of Service.

Anything herein to the contrary notwithstanding, should a Participant retire hereunder with more than thirty (30) years of credited service, he shall be entitled to an additional monthly benefit equal to two percent (2%) of his Final Average Salary multiplied by his years of Credited Service which are in excess of thirty (30) but in no case to exceed seventy percent (70%) of his Final Average Salary.

Section 5. Participants Retiring under the Firemen's and Policemen's Supplemental Pension System.

With respect to Participants who shall belong to and retire under the Supplemental Pension System established by Act No. 556 of the Legislature of Alabama after having accumulated twenty (20) or more years of credited service thereunder but prior to his having accumulated thirty (30) years of credited service hereunder, benefits payable hereunder shall commence on the date on which he would have accumulated thirty (30) years of credited service hereunder had he not retired but rather had continued in his employment with the City, without interruption, as a fireman or policeman. The annual benefit thereupon payable herefrom shall be an amount equal to that which would have been payable under Section 1 of this Article VI had he not retired but rather had continued in his employment with the City, without interruption, as a fireman or policeman, provided, however, that for the purpose of computing said benefits, Final Average Salary shall be computed as of his actual retirement date from the service.

Section 6. Involuntary Retirement.

In the event a Participant shall be involuntarily retired after having completed twenty (20) or more years of credited service, he shall be entitled to a monthly retirement benefit equal to two percent (2%) of his Final Average Salary, multiplied by his years of credited service provided however, that should said Participant be involuntarily retired prior to attaining age sixty (60), his entitlement to said monthly retirement benefit, at his retirement date, shall additionally require that within sixty (60) days of said involuntary retirement the agency governing tenure of service of City employees certify in writing to the Board that such employee has not contributed by his own fault or misconduct to said separation from service. Should such certification not be made within the prescribed time, the monthly retirement benefit thus determined shall commence upon his attainment of age sixty (60). However, should he, prior to attaining age sixty (60) and prior to the commencement of his benefits, withdraw his own contributions to the System, he shall forfeit his right to said monthly retirement benefits.

Anything herein to the contrary notwithstanding, said monthly retirement benefit shall neither commence nor be payable during any period when such involuntarily retired Participant shall refuse or fail to accept employment by the City at a rate of compensation equal to that he was receiving at the time he was involuntarily retired or separated.

Section 7. Ordinary Disability Allowance.

In the event a Participant shall, after having accrued five (5) or more years of credited service, become totally disabled to perform his customary duties as an employee of the City and not be entitled to an extraordinary disability allowance, he shall in such event be entitled to a monthly ordinary dis-

ability allowance equal to two percent (2%) of his Final Average Salary multiplied by his years of credited service at the date of his disability.

Benefits payable hereunder shall commence upon the cessation of said disabled Participant's drawing a salary from the City and shall continue until time as said Participant is no longer totally disabled to perform his said customary duties or substantially comparable duties.

The maximum ordinary disability allowance payable hereunder shall be two percent (2%) of Final Average Salary not to exceed sixty percent (60%) of Final Average Salary.

Anything herein to the contrary notwithstanding, an ordinary disability allowance shall be computed and paid throughout the continuance of such disability as provided and at the rate prescribed by the law in effect at the time of the commencement of such disability. If any disability beneficiary should become separated from the service and withdraw his contributions his right to continuance of disability benefits shall immediately cease.

Section 8. Extraordinary Disability Allowance.

In the event a Participant shall become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the Service and occurring at a definite time and place, then in the event such total disability shall continue until the Participant ceases to draw salary as an employee of the City such disabled Participant shall be entitled to a monthly allowance from the Fund equal to seventy per cent (70%) of his monthly salary at the time of the accident which resulted in such total disability.

Benefits payable hereunder shall commence upon the cessation of said disabled Participant's drawing a salary from the City and shall continue until such time as such Participant is no longer disabled by such injury to perform his customary duties or substantially comparable duties. If, however, such disabled Participant should, during the continuation of such disability, be separated from the service of the City and should said disability cease to exist, the Board may, in its discretion, continue him on the disability rolls until such time as in the judgement of the Board he is able to find suitable employment at a rate of pay equal or in excess of his disability allowance.

Application for an extraordinary disability allowance must be made within twelve months after the accident resulting in such disability and if granted shall be granted within twelve months after the accident resulting in such disability. Applications received thereafter shall not be considered and no extraordinary disability allowance shall be awarded with respect thereto.

Anything herein to the contrary notwithstanding, an extraordinary disability allowance heretofore or hereafter granted shall be computed and paid throughout the continuance of such disability as provided and at the rate prescribed by the law in effect at the time of the commencement of such disability. If any extraordinary disability beneficiary should become separated from the Service and withdraw his contributions his right to continuance of disability benefits shall immediately cease.

Section 9. Determination of Disability.

In order for disability allowances to be awarded under Section 7 or Section 8 of this ARTICLE VI, the Board must first have satisfactory proof

thereof by certification of such disability of the Participant applying for disability allowance, said certification being made by a licensed and practicing physician or surgeon. Additionally, the Board shall have the power to require further certifications of such disability by other practicing physicians and surgeons and shall have the power to require such additional proof of total disability as in its judgment it may deem necessary.

During the continuation of disability, the Board may from time to time require further certification of disability by one or more licensed and practicing physician or surgeon selected by the Board and may require such additional proof of the continuation of said disability as it deems appropriate.

With respect to extraordinary disability allowances, hypertension, heart disease or respiratory disease shall not be considered as caused by accident so as to entitle a Participant to an extraordinary disability allowance, nor shall any Participant or any other person claiming under or by reason of relationship to a Participant be entitled to an extraordinary disability allowance as a result of disability caused by hypertension, heart disease or respiratory disease, any other law, general or local, to the contrary notwithstanding. Should a former Participant who has been awarded a Disability Allowance under Section 7 or Section 8 of this ARTICLE VI resume his active duty as an employee of the City, it shall be conclusive evidence of the termination of such total disability for the purpose of the System, and any subsequent cessation of his active duty on account of disability, whether by reason of the same or a different cause, shall be treated as a new disability. However, should a Participant who shall have been awarded an extraordinary disability allowance under Section 8 hereof or is a claimant or prospective claimant therefor resume his active duty as an employee for a period not exceeding a total of one hundred eighty (180) days last ending no later than twelve (12) months following the date of the accident which gave rise to the disability for which he was awarded an extraordinary disability allowance, such resumption of active duty as an employee of the City shall not be deemed to be conclusive evidence of termination of such disability; provided, however, any provision hereof to the contrary notwithstanding, no extraordinary disability allowance shall be allowed unless granted within twelve months after the accident resulting in such disability.

In no event shall disability allowances as provided under Section 7 or Section 8 of this ARTICLE VI be payable with respect to any period of time during which the recipient of such allowances shall be actively employed by the City, shall be due or shall have been paid any salary from or by the City.

Section 10. Survivor's Benefit.

In the event of the death of a Retiree or Participant who, on the date of his death was eligible for voluntary retirement under Section 1 of this ARTICLE VI, there may be payable a monthly Survivor's Benefit equal to forty-five per cent (45%) of the monthly retirement benefit which said Retiree was receiving or was entitled to receive prior to his death or which said Participant would have been entitled to receive had he retired under Section 1 of this ARTICLE VI on the day preceding his death.

Section 11. Eligibility for Survivor's Benefit.

The surviving spouse of the deceased Retiree or Participant described in Section 10 of this ARTICLE VI shall be eligible to receive a Survivor's Benefit if they continued to be legally married on the date of the death of said de-

ceased Retiree or Participant and if said spouse were married to said deceased Retiree or Participant for at least five (5) consecutive years during which said deceased Retiree or Participant was employed in the service of the City. Further, said surviving spouse shall continue to be eligible to receive said monthly Survivor's Benefit until she shall die or remarry, whichever shall first occur.

In the event said deceased Retiree or Participant should not be survived by his spouse or in the event the spouse should fail to qualify hereunder, a Survivor's Benefit shall be payable to the child or children of said deceased Retiree or Participant, provided, however, that no Survivor's Benefit shall be payable to such child if married or if over age eighteen (18).

Section 12. Service Connected Death Benefit.

Should a Participant be killed in the line of his duty, there may be payable to his spouse and child or children a Service Connected Death Benefit which shall be determined as follows:

(a) Spouse Benefit

The surviving spouse shall receive a monthly benefit equal to forty per cent (40%) of the monthly salary of the deceased Participant and shall additionally receive an amount equal to ten per cent (10%) of said salary for each eligible child of said deceased Participant. However, in no event shall the monthly benefit payable to the spouse hereunder exceed fifty per cent (50%) of the monthly salary of the deceased Participant.

(b) Child or Children Benefit.

Should there be no surviving spouse or should the surviving spouse fail to qualify hereunder, there shall be payable to or for the benefit of such deceased Participant's child or children a monthly benefit equal to forty per cent (40%) of the deceased Participant's monthly Salary.

(c) Deceased Participant's Monthly Salary.

For the purpose of this Section 12, the deceased Participant's monthly salary shall mean his Final Average Salary except that with respect to a Participant who should be killed in the line of service prior to having accumulated five (5) years of Credited Service hereunder, it shall mean his monthly salary as of the date of the injury which resulted in his death.

Section 13. Eligibility for Service Connected Death Benefit.

The surviving widow of the deceased Participant described in Section 11 of this Article shall be eligible to receive a Service Connected Death Benefit if they continued to be legally married on the date of the death of said deceased Participant. Further, said surviving spouse shall continue to be eligible to receive said monthly Service Connected Death Benefit until she shall die or remarry, which ever shall first occur.

Service Connected Death Benefits attributable or payable to or on behalf of said deceased Participant's child or children shall only be payable with respect to such child or children who are both unmarried and eighteen (18) years of age or younger except that with respect to an unmarried child or children who shall continue to be a student regularly attending school, benefits shall continue to be payable until they attain age twenty-two (22).

Section 14. Firemen's and Policemen's Supplemental Pension System—Widow's Pension.

In the event a fireman or policeman shall retire under the Supplemental Pension System established by Act No. 556 of the Legislature of Alabama after having accumulated twenty (20) years of credited service thereunder and shall die prior to the date on which he would have accumulated thirty (30) years of credited service under this System had he not retired but rather had he continued in his employment with the City, without interruption, as a fireman or policeman, his widow shall not receive any benefit herefrom. However, should said retired fireman or policeman die subsequent to the date on which he would have accumulated thirty (30) years of credited service hereunder, and should he be survived by a widow to whom he was married for at least five (5) years while an active employee, said widow shall be entitled to receive until such time as she should remarry a monthly widow's pension in an amount equal to forty-five per cent (45%) of the monthly retirement benefit which her husband was receiving or entitled to receive on the date of his death as if such widow was entitled to a benefit under Sections 10 and 11 of this ARTICLE.

Section 15. Death Prior to Retirement—Return of Contributions.

In the event a Participant shall die prior to retirement and without a surviving spouse or children eligible for benefits hereunder, there shall be payable an amount equal to his total contribution to the System, without interest, less an amount equal to one-half ($\frac{1}{2}$) the total of all Disability Retirement benefits paid to said deceased Participant prior to his death.

Section 16. Termination of Employment or Ineligibility—Return of Contributions

In the event a Participant shall terminate or be terminated from his employment with the City for any reason whatever, in the event a Participant shall cease to be eligible for participation herein or in the event a Participant herein shall cease to be a classified employee and shall elect to terminate his participation in the System, there shall be payable to said former Participant an amount equal to his total contributions to the System, without interest, less an amount equal to one-half ($\frac{1}{2}$) the total of all disability retirement benefits paid to said former Participant; provided however, that this section shall not require a return of contributions to an involuntary retiree who elects not to withdraw his contributions pursuant to Section 6 of the ARTICLE VI.

Section 17. Payment of Return of Contributions.

A return of contributions, as provided herein, shall be payable to said former Participant, if living, and otherwise to his personal representative who may qualify as such and make demand for payment within sixty days after death of such former Participant or if there be no such qualification and demand to his named beneficiary. In the event said former Participant shall have died and shall have not, while an active Participant in the System, designated a beneficiary in writing, said return of contributions shall be paid in the following order of preference:

- (1) To his Personal Representative if one qualifies and makes demand therefor within sixty days after the death of such Participant;
- (2) To his surviving spouse;

- (3) To his surviving children in equal shares;
- (4) To his surviving parents in equal shares;
- (5) To his surviving brothers and sisters in equal shares.

Section 18. Designation of Severance Beneficiary.

The custodian shall keep a book or record in which any employee member may designate the name of a person to receive return of contributions made by him in the event of his death prior to commencement of accrual of a retirement allowance in his favor. Any such designation may be changed from time to time by the employee member. Each such designation shall be signed and dated by the employee member, and the last signed and dated designation shall prevail over any former designation. The rights of the last designated severance nominee shall be governed by Section 17.

If a fireman or policeman has executed an instrument providing for the Board of Managers of the Supplemental Pension System established by Act No. 556 of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, page 1376, et seq., to receive return of contributions made by him in the event of his death, then the right of the said Board of Managers to receive the return of said contributions shall prevail over the claim of the severance nominee, or spouse, or children, or father, or mother, or sisters or brothers or personal representative of such deceased fireman or policeman.

Section 19. Payment of Benefits During Period of Re-Employment.

Anything herein to the contrary notwithstanding, no retirement benefits of whatever kind or description shall be payable to any former Participant for any period during which said former Participant is employed by the City, is due a salary from the City or has been paid a salary by the City.

Section 20. Determination of Right to Benefits.

The determination of the rights of a Retiree to benefits or survivors to death or other benefits under this System shall be determined on the basis of the law governing the System which is in effect on the date of retirement of said Retiree or death of said Participant as the case may be and the right of any beneficiaries or contingent payees as herein provided shall be determined on the basis of the law governing this System which is in effect on the date of the death of the Retiree or Participant which gave rise to the rights of said beneficiary or contingent payee.

Section 21. Payment of Benefits to Minor Children.

In the event that benefits become payable hereunder to minor children, payments shall be made to the legal guardian of said minor children or, in the absence of a legal guardian, to the person who has custody of said children, provided, however, that the benefit shall be payable to the use and benefit of said children.

Section 22. Law Applicable to the Measurement of Benefits.

The rights of any person heretofore or hereafter retired shall continue to be measured and governed by the terms of the System in effect at the time of such retirement and should such person die during continuance of such retirement the right of the spouse, child or children of such deceased retired person

and the rights of the spouse, child or children of any other deceased person or Participant shall be measured and governed by the terms of the System in effect at the time of the death of such deceased person or Participant.

ARTICLE VII PARTICIPANT LOANS

Section 1. Loans to Participants.

The Board shall have the right to lend to any employee member from the fund such an amount of money as will not cause the aggregate of indebtedness of the employee member to the fund immediately after such loan to exceed fifty per cent (50%) of the amount of contributions returnable to him, or those claiming under him, were he to become separated from the service immediately after such loan. Interest on such loan shall be charged at the rate of six per cent per annum. Provided, however, that if an employee member is a fireman or policeman belonging to a Supplemental Pension System established by Act No. 556 of the 1959 Session of the Legislature of Alabama, approved November 19, 1959 (Ala. Acts, 1959, p. 1376) the Board shall have the right to lend such employee member from the fund such an amount of money as will not cause the aggregate of indebtedness of such employee member to the fund immediately after such loan to exceed fifty per cent (50%) of the aggregate amount of contributions returnable to him, or those claiming under him by provision of this Act and provision of said Act No. 556, were he to become separated from the service immediately after such loan.

Section 2. Repayment of Loan.

Any loan made to a Participant from the Fund pursuant to Section 1 of this ARTICLE VII shall be repayable in either monthly, quarterly, semi-annual or annual installments over a period not to exceed twenty-four (24) months from the date of issuance of such loan as the Board in its discretion may require and at an interest rate of six per cent (6%) per annum.

Section 3. Life Insurance.

Should a Participant obtaining a loan hereunder request the Board to secure a policy of insurance on his life providing for the insurance company to repay the unpaid balance of said loan in the event of his death, the Board shall secure and make available such insurance, if obtainable, at the Participant's expense. In no event shall the amount of life insurance thus obtainable exceed the unpaid balance of the loan attributable to the Participant applying therefor.

ARTICLE VIII MISCELLANEOUS

Section 1. Liabilities of Employee Members to Fund.

Any debt or liability of a Participant to the Fund or to the City shall be offset against, and deducted from, any amount due from the Fund to the employee member or those claiming under him either as return of contributions or as disability or retirement payments, and only the balance, if any, shall be payable by the Fund.

Section 2. False Representations.

It shall be a misdemeanor, and punishable as such, for any Participant or beneficiary to knowingly make any false representation to the Board or to the Secretary of the Board or to the City Comptroller or the custodian or to any investigator or agent of the Board with respect to any matter pertaining to the administration of the System.

Section 3. Exemptions.

Neither all nor any portion of the Fund, whether in cash, securities or otherwise, nor any income or yield thereof, shall be subject to, or exacted on account of, any tax. No retirement or disability allowance nor any amount payable thereunder shall be subject to assignment or to any process for the collection of debts, provided this shall not apply to assignments or debts to the Fund or to the City. Except with respect to the return of contributions provided for in Section 16 of ARTICLE VI, no liability of the Fund for return of contributions shall be subject to assignment, and, subject to the provisions of Section 17 of ARTICLE VI in relation to payment to personal representatives, no liability of the Fund for return of contributions shall be subject to any process for the collection of debts.

Section 4. Members in Armed Forces.

If any Participant, either before July 1, 1945, and after October 16, 1940, or after July 1, 1945, and prior to declaration by the Congress or President of the United States of termination of the unlimited national emergency declared by the President in his proclamation of May 27, 1941, shall have left the service for the purpose of entering the armed forces of the United States, after having been in the service for at least one year next before such leaving, and shall have left in the Fund all contributions made by him prior to such leaving, and shall have resumed a position of qualified employee in the service of the City within forty days after his separation from such armed forces, and, in any event, within one year after declaration by the Congress or the President of the United States of termination of the unlimited national emergency declared by said President in said proclamation of May 27, 1941, and shall not have been dishonorably discharged from such armed forces, then, and in all such events, the City shall promptly pay into the Fund an amount double that which the Participant would have contributed to the Fund from his salary had he continued in the service of the City as a Participant throughout the period between the time of so leaving the service and the time of resumption of position in the service at the same rate of pay he was receiving at the time he so left the service, and, upon such payment into the Fund, the Participant shall be entitled to count as credited service the entire aforesaid period, provided, however, that if such Participant becomes disabled to perform, his customary duties at any time within two years after such resumption of position, the amount of any benefits to which he might otherwise be entitled hereunder for any period shall be reduced by any amount paid or payable to him by the federal government for the same period, and provided further that no part of such payment by the City shall be returnable by the Fund under any provision of the System for return of contributions made by Participants. In order to extend the benefits of this Section to some "Korean Veterans" to whom such benefits would not otherwise extend, the unlimited national emergency declared by the President of the United States in his proclamation of May 27, 1941, shall, for the purposes of this Section, be deemed to have been by the Congress or the said President declared termi-

nated at midnight, January 31, 1955, the time designated by the President in Executive Order No. 10585, "as the date of termination of combatant activities" in the Korean Zone and also the time fixed by said President in Proclamation No. 3080, dated January 1, 1955, as a terminal time for various purposes in respect of service in the Armed Forces.

In order to extend the benefits of this Section to other veterans to whom such benefits would not otherwise extend, it is hereby provided that if any Participant shall have left the service prior to April 20, 1954, for the purpose of serving in the armed forces of the United States after having been in the service of the City for at least one year next before leaving, and shall have entered such armed forces promptly after such leaving, and shall have left in the Fund all contributions made by him prior to such leaving, and shall have resumed a position of Participant in the service within forty days after his separation from such armed forces, and in any event prior to the 21st day of May, 1956, and shall not have been dishonorably discharged from such armed forces, then and in all such events, the City shall promptly pay into the Fund an amount double that which the employee would have contributed to the Fund from his salary had he continued in the service as a Participant throughout the period between the time of so leaving the service and the time of resumption of position in the service at the same rate of pay he was receiving at the time he so left the service, and, upon such payment into the Fund, the Participant shall be entitled to count as credited service the entire aforesaid period, provided, however, that if such Participant becomes disabled to perform his customary duties at any time within two years after such resumption of position, the amount of any benefits to which he might otherwise be entitled hereunder for any period shall be reduced by any amount paid or payable to him by the federal government for the same period, and provided further that no part of such payment by the City shall be returnable by the Fund under any provision of the System for return of contributions made by Participants.

As hereafter used in this Section 4, the term "period of hostilities" means any period subsequent to April 20, 1954, when the United States was, is or shall be engaged in hostilities with any foreign state, whether as a result of a declared war or not. In order to further extend the benefits of this Section to other veterans to whom such benefits would not otherwise extend, it is hereby provided if any Participant shall have left the service subsequent to April 20, 1954, for the purpose of serving in the armed forces of the United States, during a period of hostilities, after having been in the service for at least one year next before such leaving and shall have entered such armed forces promptly after such leaving, and shall have left in the Fund all contributions made by him prior to such leaving, and shall have resumed a position of qualified employee in the service within forty (40) days after his separation from such armed forces, and shall not have been dishonorably discharged from such armed forces, then in all such events the City shall promptly pay into the Fund an amount double that which the employee would have contributed to the Fund from his salary had he continued in the service as a Participant throughout the period between the time of so leaving the service and the time of resumption of position in the service at the same rate of pay he was receiving at the time he so left the service, and, upon such payment into the Fund, the Participant shall be entitled to count as credited service the entire aforesaid period, provided, however, that if such Participant becomes disabled to perform his customary duties at any time within two years after such resumption of position, the amount of any benefits to which

he might otherwise be entitled under Section 7 of ARTICLE VI for any period shall be reduced by any amount paid or payable to him by the federal government for the same period, and provided further that no part of such payment by the City shall be returnable to the Fund under any provision of the System for return of contributions made by Participants.

Anything to the contrary contained in this Section notwithstanding, no Participant who has entered the Armed Forces of the United States subsequent to April 20, 1954, and who otherwise qualifies for the benefits provided herein, shall be entitled to receive such benefits upon return to service unless he shall return to such service within five (5) years after having left such service to enter said Armed Forces.

ARTICLE IX

CONSTRUCTIVE SUBSIDIARIES OF THE CITY

Section 1. Participants in the System.

It being recognized that it is desirable to allow as participants in the System employees of certain departments and authorities, the employees of the following such employers shall be included as constructive employees of the City and as participants in the System under the terms and conditions set forth herein subject only to any qualifications or limitations hereinafter provided.

Section 2. Board of Health.

Employees of the Board of Health shall be deemed constructively employees of the City during all their time in the service of said Board of Health, whether past, present or future, and the retrospective and prospective terms of the System shall be retrospectively and prospectively applied to such constructive employees as fully and restrictively, and with like effect as though said Board of Health were actually such subsidiary board or department at all times past, present and future, and as though employees thereof were actually employees of the City at all times while in the service or said Board of Health, past, present or future. For the purposes of application of the terms of the System, such constructive employees of the City shall be deemed as in the classified service of the City during such period or periods, whether past, present or future, as they may be or may have been subject to the same civil service system as that to which employees of the City may be or may have been contemporaneously subject, and shall be governed accordingly by the retrospective and prospective provisions of the System. However, any such constructive employee who may or may have become an employee member after the Effective Date by virtue of Section 1, Article IV hereof shall be entitled to count as creditable time his prior service time as well as his paid membership time. In case of existence in the same county of two cities having a population of two hundred and fifty thousand or more inhabitants that one which first entered such population class shall be deemed the City referred to in this and the next succeeding four sections.

Section 3. Civic Center.

For the purpose of the application of the System to the extent herein provided, and for that purpose only, and except as may be otherwise or differently provided herein, the employment by Civic Center of employee mem-

bers shall be deemed constructively employment by the City during all of their time in the service of Civic Center after the adoption of this Section 3, with like effect as though said employee members, while working for Civic Center, were actually working as employees of the City, subject to this pension system; provided, however, that this Section shall not apply unless all of the conditions hereinafter specified are met.

This Section 3 shall not apply to any employee member unless within thirty (30) days after he leaves the service of the City he is employed by Civic Center on a salary payable at regular specified intervals; any person employed by Civic center on a part time basis before he leaves, or when he leaves, the service of the City shall be within the scope of the next foregoing sentence, if he continues in the employ of Civic Center.

This Section 3 shall not apply unless the employee member leaves in the System Fund the contributions made by him to the Fund.

This Section shall not apply unless, within the time below stated, Civic Center gives written notice to the Board of Managers that Civic Center elects for this said Section 3 of Article IX of this Act to apply to the employment of said employee member by Civic Center. This Section shall not apply unless the Board of Managers receives such notice within forty-five (45) days of the employee member's leaving the service of the City; provided, however, that the said Board may in its discretion accept and treat as binding such notice received after that time, if the Board finds that delay in forwarding the notice was justified.

After giving any such notice, it shall be the duty of Civic Center to make or cause to be made and paid into the pension fund deductions from the salary of its employee who is the subject to such notice, and to do so in all respects as is provided by the System for the City to make deductions and pay into the Fund from salaries of its employees who are employee members, and it shall be the further duty of Civic Center to make matching contributions to the Fund from its own funds in respect to any employee who is the subject of any such notice, in all respects as it is made the duty of the city to make matching contributions in respect of its employees who are employee members, and it shall be the further duty of Civic Center to fully cooperate with the Board of Managers, the City Comptroller and the Custodian in the administration of the System.

After the Board of Managers receives the said certificate from Civic Center, the election made by Civic Center for this Section to apply to the employee member named in the certificate shall be irrevocable.

Section 4. Civil Defense Agency.

For the purpose of application of the terms of the System, and for such purpose only, and except as may be hereinafter otherwise or differently provided in this and Section 6 of this Article, on and after September 1, 1969, the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of the City shall be deemed constructively a subsidiary board or department of the City during said Civil Defense Agency's subsequent existence, and the employees thereof in the classified service shall be deemed constructively employees of the City during all their time in the service of said Civil Defense Agency subsequent to September 1, 1969, and thereafter the terms of the System shall be prospectively applied to such constructive employees as fully and restrictively, and with like effect, as though said

Civil Defense Agency were actually such subsidiary board or department and as though employees thereof in the classified service were actually employees of the City at all times while in the service of said Civil Defense Agency subsequent to September 1, 1969.

Section 5. Duties of the Board of Health.

After July 1, 1945, it shall be the duty of the Board of Health, as an independent agency and not as a subsidiary board or department of the City, to make or cause to be made and paid into the Fund deductions from the salaries of all of its employees who are employee members, and to do so in all respects as is provided by the System for the City to make deductions and pay into the Fund from salaries of its employees who are employee members, and it shall be the further duty of the Board of Health, as such independent agency, to make matching contributions to the Fund from its own funds in respect of its employees who are employee members, in all respects as it is made the duty of the City to make matching contributions in respect of its employees who are employee members, and it shall be the further duty of the Board of Health, as such independent agency, to fully cooperate with the Board of Managers, the City Comptroller and the Custodian in the administration of the System, and, thereinabout, to make available to them all such records and information pertaining to employees of the Board of Health as they or either of them may request for the purpose of administration of the System.

Section 5. Duties of the Civil Defense Agency.

After September 1, 1969, it shall be the duty of said Civil Defense Agency, as an independent agency and not as a subsidiary board or department of the City, to make or cause to be made and paid into the Fund deductions from the salaries of all its employees who are employee members, and to do so in all respects as is provided by the System for the City to make deductions and pay into the Fund from salaries of its employees who are employee members, and it shall be the further duty of said Civil Defense Agency as such independent agency to make matching contributions to the Fund from its own funds in respect of its employees who are employee members in all respects as it is made the duty of the City to make matching contributions in respect of its employees who are employee members, and it shall be the further duty of said Civil Defense Agency as such independent agency to fully cooperate with the Board of Managers, the City Comptroller and the Custodian in the administration of the System, and, thereinabout, to make available to them all such records and information pertaining to employees of Civil Defense as they or either of them may request for the purpose of administration of the System.

ARTICLE X
SEVERABILITY

Section 1. The provisions of this Act shall be severable. Should any Article, section or provision hereof be held invalid or unenforceable by a Court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remaining sections or provisions hereof."

Section 2. This Amendatory Act shall become effective on the first day of the calendar month next succeeding the calendar month in which this Act shall be approved by the Governor, or otherwise become a law.

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Timmons, the House concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 620, said report being set out in the above and foregoing Report of the Committee on Conference.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Downing	McMillan	Smith (K)
Adams	Edwards	McNair	Smith (P)
Agee	Falkenburg	Manley	Snell
Bank	Fite	May	Stewart
Barron	Goodwin	Meeks	Stokes
Benton	Gray (F)	Naramore	Stubbs
Boutwell	Hale	Nettles	Taylor
Callahan	Harris	O'Daniel	Therrell
Carnes	Headley	Owens	Timmons
Carter	Hearn	Parker	Turner
Chesnut	Hughes	Perloff	Turnham
Connell	Jackson	Pruitt	Waggoner
Coshatt	Jones (F)	Reed (T)	Waldrop
Cottingham	King	Reid (R)	Wallace
Crawford	Lang	Roberts	Weeks
Cross	McBride	Robertson	Williams
Culver	McCluskey	St. John	Wise
Doss	McDonald	Slate	Wood

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And the bill, H. 620:

To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.) entitled as amended "An act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the most recent federal decennial census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority to any county in which any such city may be located."

As amended by the Report of the Committee on Conference, was again read at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Bank	Boutwell	Carter
Adams	Barron	Callahan	Chesnut
Agee	Benton	Carnes	Connell

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Coshatt	Harris	Meeks	Stokes
Cottingham	Headley	Naramore	Stubbs
Crawford	Hearn	O'Daniel	Taylor
Cross	Hughes	Owens	Therrell
Culver	Jones (F)	Parker	Timmons
Doss	King	Perloff	Turner
Downing	Lang	Pruitt	Turnham
Edwards	Lutz	Reed (T)	Waldrop
Erdreich	McCluskey	Roberts	Wallace
Falkenburg	McCorquodale	Robertson	Warren
Fite	McDonald	St. John	Weeks
Goodwin	McMillan	Smith (K)	Williams
Grainger	McNair	Smith (P)	Wood
Gray (F)	Manley	Snell	Wynot
Hale	May	Stewart	

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MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Robertson, the rules were suspended in order to take up out of order the third reading of the bill, S. 851.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Edwards	Lutz	Roberts
Adwell	Erdreich	McBride	Robertson
Agee	Falkenburg	McCluskey	St. John
Bank	Flippo	McDonald	Smith (K)
Barron	Gafford	McMillan	Smith (P)
Boutwell	Goodwin	McNair	Stewart
Burgess	Grainger	Manley	Stokes
Callahan	Gray (F)	Mathews	Stubbs
Carnes	Hale	May	Taylor
Carter	Hardin	Meeks	Therrell
Chesnut	Harris	Merrill	Turner
Collins	Headley	Naramore	Turnham
Connell	Hearn	Nettles	Waggoner
Coshatt	Hill	Owens	Waldrop
Cottingham	Hobbi	Parker	Wallace
Crawford	Hughes	Porter	Warren
Cross	Jackson	Pruitt	Weeks
Crowe	Jones (F)	Reed (T)	Williams
Culver	King	Reid (R)	Wood
Doss	Kinsey	Reynolds	Wynot
Downing	Lang		

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And the bill:

S. 851. To make a conditional appropriation to the Special Mental Health Fund from the State General Fund for each of the two fiscal years ending September 30, 1974, and September 30, 1975.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Bank	Brassell	Carter
Adams	Barron	Burgess	Cauthen
Adwell	Benton	Callahan	Chesnut
Agee	Boutwell	Carnes	Collins

Connell	Hardin	Mathews	Smith (K)
Coshatt	Harris	May	Smith (P)
Cottingham	Headley	Meeks	Snell
Crawford	Hearn	Merrill	Stewart
Cross	Hill	Naramore	Stokes
Crowe	Hughes	Nettles	Stubbs
Culver	Jackson	O'Daniel	Taylor
Dill	Jones (F)	Owens	Therrell
Doss	King	Parker	Turner
Downing	Kinsey	Porter	Turnham
Edwards	Lang	Pruitt	Waggoner
Erdreich	Lutz	Reed (T)	Waldrop
Falkenburg	McBride	Reid (R)	Wallace
Flippo	McCluskey	Reynolds	Warren
Gafford	McCorquodale	Roberts	Weeks
Goodwin	McDonald	Robertson	Williams
Grainger	McMillan	St. John	Wood
Gray (F)	McNair	Slate	Wynot
Hale	Manley		

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BILLS ON THIRD READING RESUMED

And the bill:

S. 871. (With Substitute): Relating to Lee County: To create and establish in Lee County a court with county-wide limited jurisdiction of criminal cases, civil actions formerly at law and of juvenile cases, and court to be known as the District Court of Lee County, Alabama; providing it with officers and employees and prescribing their powers, duties, compensation, their terms of office and the manner of their selection, appointment and election; establishing criminal, civil, juvenile and small claims divisions in said court, and regulating the procedure, process, costs and charges of such divisions; abolishing the Court of Common Pleas of Lee County; providing for the transfer and trial of cases pending in the Court of Common Pleas of Lee County, at the time this Act takes effect, to the District Court of Lee County, Alabama; and repealing conflicting laws.

Was taken up.

S. 871 POSTPONED

On motion of Mr. Turnham, the bill, S. 871, was postponed to the thirty-sixth legislative day.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 640. To provide for the compensation to be paid the Deputy District Attorneys who are elected by the people, in all counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same, and to provide the date when said act shall go into effect.

Also:

H. 2124. Relating to the eleventh judicial circuit; providing an expense allowance for the District Attorney of such circuit; providing for a county

salary supplement for such District Attorney at the beginning of his next term of office.

Also:

H. 1425. To amend Section 3 of Act No. 476, H. B. 627, Regular Session 1955 (Acts 1955, u. 1084), as amended, which section relates to the compensation of the deputy district attorney of the Twenty-third Judicial Circuit, so as to further regulate the compensation of said deputy district attorney.

Also:

H. 456. To provide further for the compensation of the deputy district attorney for Marion County.

Also:

H. 1757. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Department of Education to establish a special fund to be designated as the "Driver Education and Training Fund" for the express purpose of instituting and conducting a program of preclicensing driver education and training.

Also:

H. 1560. To further amend Section 2 of Act No. 100, H. 94. Second Special Session 1959, relating to revenue, to exclude the sales tax exemption on certain products sold in vending machines and substitute therefor a tax on all purchases for resale, of food and food products, not including beverages other than coffee, milk, milk products and substitutes therefor, through coin operated dispensing machines.

Also:

H. 263. To amend Section 2 of Act No. 160, H. 59, Third Special Session 1971 (Acts 1971, p. 4404), entitled "An Act To provide the manner and method by which Statewide Property Reappraisal shall be carried out and to spell out the responsibilities of all parties concerned and to provide for the enforcement of such a program by the Department of Revenue of the State of Alabama," so as to add a proviso that the Department of Revenue shall not have any authority or power to establish any rule, regulation, criteria or standard that shall require or allow any appraisal of real property to include the inside inspection of any human residence in this state.

Also:

H 817. To provide for participation by the State of Alabama in the Interstate Library Compact.

Also:

H. 1004. To authorize County governing bodies to enter into contracts with Federal Government.

Also:

H. 216. To provide for transfer of certain members of the Employees' Retirement System of Alabama under Section 12 of Act 515 of 1945 Act as

amended who are otherwise eligible to become members of the Teachers' Retirement System of Alabama under the provisions of Act #2307 of the 1971 Legislature.

Also:

H. 107. To replace the "Alabama Apartment Ownership Act" with a new statute establishing and regulating CONDOMINIUM developments, as regards definitions; the nature, ownership and rights to possession of condominium units, common elements and limited common elements; the establishment of condominium property and the contents and recordation of declarations and bylaws and the amendment thereof, deeds, mortgages and other instruments relating to units; the administration and management of condominiums; liability, civil actions and service of process by and against the condominium and its unit owners; the ascertainment and charging of expenses for common elements and limited common elements to unit owners; the assessment of taxes and other public charges to unit owners; liens for labor and materials for work on condominium property and individual units; the mortgaging of condominium property and individual units; the termination of the condominium form of ownership; statutory construction; severability of the statute and repeal of the present Alabama Apartment Ownership Act, Act No. 206, H. 81, First Special Session (Acts 1964, p. 266).

Also:

H. 674. Further amending Code of Alabama 1940, Title 22, Section 93, relating to Vital Statistics, providing for accurate reporting data for divorces in order for Alabama to remain a registration district in the United States.

Also:

H. 112. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

Also:

H. 326. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

Also:

H. 667. To provide for the adoption of adult persons and to declare the rights of the adopter and the adopted person.

Also:

H. 154. To amend further Act No. 382, H. 834, approved September 9, 1955, as last amended, an Act authorizing the director of the highway department to issue special permits for movement of certain oversize vehicles on public highways (Acts 1955, p. 916).

Also:

H. 1185. To amend Sections 3 and 4 of Act No. 566, S. 117, p. 1046, Volume II, Acts of Alabama, Regular Session of the Legislature 1969, effective 2/1/70, the title of which act is, "To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama having a population of less than 600,000 population according to the last federal census, describing their duties, setting

up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries," by increasing the minimum and maximum salary allowed for such Supernumerary officials and providing for repayment of the amount of salary paid into the general fund of the county by such Clerks and Registers if their tenure of office is terminated prior to their becoming supernumerary.

Also:

H. 508. To amend Section 32 of Act 100, H. 94, Acts of Alabama 1959, Volume 1, page 298, so as to change the phrase "old age assistance exclusively" to "general welfare purposes," and to distribute from the sales tax a sufficient sum for the counties to pay the cost of administering the Food Stamp Act of 1964, Public Law 88-525, 88th Congress, and amendments enacted thereto.

McDOWELL LEE,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Hobbie, the rules were suspended in order to take up out of order the third reading of the bill, S. 427.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Doss	King	Smith (P)
Adams	Downing	Kinsey	Stewart
Adwell	Edwards	Lutz	Stokes
Agee	Ellis	McBride	Stubbs
Bank	Falkenburg	McDonald	Taylor
Barron	Goodwin	McMillan	Timmons
Benton	Grainger	McNair	Turner
Bowers	Gray (F)	Mathews	Waggoner
Brassell	Hardin	Meeks	Waldrop
Carnes	Harris	Naramore	Wallace
Carter	Headley	Owens	Warren
Chesnut	Hill	Parker	Weeks
Collins	Hobbie	Porter	Williams
Cottingham	Hughes	Reynolds	Wood
Cross	Jackson	St. John	Wynot
Culver	Jones (F)	Smith (K)	

—63

And the bill:

S. 427. To amend Section 1 of Act No. 470, S. B. 182, Regular Session 1969, (Acts 1969, v. 1, p. 912), which Act relates to the per diem travel allowance of state officers and employees traveling on official business for the state, so as to increase the maximum amount allowed each such person.

Was taken up.

Mr. Hobbie offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1 and 3 of Act No. 470, S. 182, 1969 Regular Session (Acts of 1969, p. 912), entitled "An Act To provide for and regulate the

payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies," so as to raise the amount provided for in said sections.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 1 and 3 Act No. 470, S. 182, 1969 Regular Session (Acts of 1969, p. 912), are amended to read as follows:

"Section 1. The maximum amount allowable to a person traveling inside the State of Alabama in the service of the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, or other like agencies, for expenses other than transportation shall be fixed by the Governor at not more than twenty dollars per day, and such maximum or limit when fixed from time to time shall be uniform in operation as to all persons traveling within the State on official business.

"No travel allowance shall be paid for a trip of less than six hours' duration. For travel which does not require an overnight stay, the traveler shall be paid a meal allowance of three dollars and fifty cents for a trip of from six to twelve hours' duration and for travel in excess of twelve hours duration the traveler shall be paid one such meal allowance and one-fourth of the per diem allowance.

"The per diem allowance provided for in this section shall not be paid to an employee stationed at the same place in the State for a period in excess of two consecutive months; after two consecutive months the amount of the allowance shall be reduced to thirteen dollars per day, provided, however, that the provisions of this section shall not apply to officers and employees of the State of Alabama when they incur expenses representing the State of Alabama in the encouragement and promotion of trade or industrial development and on such occasions, when such representation is properly approved, such persons shall be reimbursed for the actual expenses incurred and paid by them; provided further that such representation must be approved in advance in writing by the Governor or by the Director of Finance when so designated by the Governor; nor shall the provisions of this section apply to examiners or other persons designated by the Superintendent of Insurance to examine or cause to be examined the domestic insurance corporations qualified in this state when the expense incurred by such persons shall be paid by or collected or received from such corporations examined under the provision of Title 28, Section 54 (1)."

"Section 3. Persons traveling on official business for the state or any of its departments, institutions, boards, bureaus, commissions, councils, committees, or other like agencies in privately owned vehicles shall receive twelve cents per mile in lieu of their actual expenses for transportation."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell

Agee
Bank
Barron

Benton
Boutwell
Brassell

Callahan
Carnes
Carter

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Cauthen	Grainger	McDonald	Smith (P)
Chesnut	Gray (F)	McMillan	Snell
Collins	Grey (D)	McNair	Stewart
Connell	Hardin	Mathews	Stubbs
Cottingham	Harris	May	Taylor
Crawford	Headley	Merrill	Timmons
Cross	Hill	Mims	Turner
Culver	Hobbie	Naramore	Waggoner
Doss	Hughes	Owens	Waldrop
Downing	Jackson	Parker	Wallace
Edwards	Jones (F)	Porter	Warren
Ellis	Kinsey	Reed (T)	Weeks
Erdreich	Lang	Roberts	Williams
Falkenburg	Lutz	St. John	Wood
Fite	McBride	Slate	Wynot
Goodwin	McCorquodale	Smith (K)	—75

And the bill, S. 427 as thus amended, was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Messrs.:	Culver	Jones (F)	Reed (T)
Adams	Doss	King	St. John
Adwell	Downing	Kinsey	Slate
Agee	Edwards	Lang	Smith (K)
Bank	Ellis	Lutz	Smith (P)
Barron	Falkenburg	McBride	Snell
Benton	Fite	McCorquodale	Stewart
Boutwell	Flippo	McDonald	Stokes
Bowers	Gafford	McMillan	Stubbs
Brassell	Goodwin	McNair	Taylor
Callahan	Grainger	Mathews	Timmons
Carnes	Gray (F)	May	Turner
Carter	Grey (D)	Meeks	Waggoner
Cauthen	Hardin	Merrill	Waldrop
Chesnut	Harris	Mims	Wallace
Collins	Headley	Naramore	Warren
Connell	Hill	Nettles	Weeks
Cottingham	Hobbie	Owens	Williams
Crawford	Hughes	Parker	Wynot
Cross	Jackson	Porter	—78

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1145. To regulate the change of zoning classification by the governing bodies of counties having a population in excess of 600,000 according to the last or any subsequent Federal Decennial census and by the governing bodies of municipalities located in such counties; to provide for notice of a proposed change in zoning classification to be given to the owners of property located within 500 feet from the property which is the subject of the proposed change and by placing a sign upon the property which is the subject of the proposed change; to authorize any property owner receiving notice of a proposed change in zoning classification to protest such proposed change;

and, to provide that in the event a protest should be filed with respect to any proposed change in zoning classification by fifty percent or more of the property owners receiving such notice, such change shall not be effected without the affirmative vote of a minimum of two-thirds of the members of such governing body.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hughes, the House concurred in and adopted the Senate amendment to the bill, H. 1145, said Senate amendment being as follows:

Amend H. B. 1145 by deleting the Section 4 in its entirety, and renumbering the remaining sections.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Cross	Jones (F)	Reynolds
Adams	Culver	Lutz	Roberts
Adwell	Edwards	McDonald	St. John
Agee	Ellis	McMillan	Smith (K)
Bank	Erdreich	McNair	Snell
Barkett	Fite	Manley	Therrell
Barron	Goodwin	May	Turner
Boutwell	Grainger	Meeks	Turnham
Bowers	Gray (F)	Naramore	Waggoner
Carnes	Grey (D)	Nettles	Waldrop
Carter	Hardin	Owens	Wallace
Chesnut	Harris	Parker	Weeks
Connell	Hobbie	Perloff	Williams
Cottingham	Hughes	Porter	Wise
Crawford	Jackson	Pruitt	Wynot

—60

And the bill, H. 1145 as thus amended, was again read at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Cross	Lutz	Reynolds
Adams	Downing	McBride	Roberts
Adwell	Edwards	McDonald	St. John
Agee	Erdreich	McMillan	Smith (K)
Bank	Fite	McNair	Snell
Barkett	Goodwin	Manley	Stokes
Barron	Grainger	Mathews	Therrell
Boutwell	Gray (F)	May	Turner
Bowers	Grey (D)	Meeks	Turnham
Carnes	Hardin	Naramore	Waggoner
Carter	Harris	Nettles	Wallace
Chesnut	Hobbie	Owens	Williams
Connell	Hughes	Parker	Wise
Cottingham	Jackson	Perloff	Wynot
Crawford	Jones (F)	Porter	

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MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning House Bill No. 1901, without the Governor's approval, and with a suggested Executive Amendment.

Respectfully submitted,
HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 5th DAY OF SEPTEMBER, 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 1901 without my approval and with a suggested Executive Amendment.

This Bill in essence provides for the handling and sale of table wines in Jefferson County by retail wine licensees. I realize that this Bill received a majority vote by the elected House and Senate members from Jefferson County and without any reflection on their judgment or ability to represent Jefferson County, I am of the opinion that this Bill represents such a departure from the long standing exclusive control over the retail sale of wine by the Alabama Alcoholic Beverage Control Board that it should be submitted to the people of Jefferson County for their consideration at the polls.

With the foregoing in mind, it is suggested that the title of said Bill be amended so as to add after the last word in said title the following:

"and to provide for a referendum of the voters of the County on the question of whether the Act will become effective in the County."

It is further suggested that Section 16 be deleted and the following substituted therefor:

"Section 16. The county commission shall call and provide for holding a referendum for the purpose of determining if this Act shall become operative. The referendum shall be held on the same day as the next general, special, or primary election held in the county, and shall be advertised, held, conducted and the results thereof canvassed in the manner provided by law for advertising, holding, and canvassing county bond elections.

"The question to be voted on shall be stated on the ballots or voting machine tabs substantially as follows: 'Do you favor allowing the retail sale of table wines as provided in Act No. _____ approved _____, 1973?' If the majority of the votes cast in the referendum are 'yes', the sale of table wines, as provided for in this Act, shall be legal in the county and this Act shall become operative therein; if the majority of the votes cast in the election

are 'no', this Act shall have no further effect. The Probate Judge of the county shall certify the results to the Secretary of State of Alabama in thirty (30) days after the election returns are canvassed."

It is further suggested that the Bill be amended by adding the following:

"Section 17. This Act shall become effective upon its passage and approval by the Governor or by its otherwise becoming a law."

Respectfully,

GEORGE C. WALLACE,
Governor of Alabama.

GOVERNOR'S MESSAGE

On motion of Mr. Dill, the amendment offered by His Excellency, the Governor, to the bill, H. 1901, was tabled.

Yeas 39; Nays 17.

Yeas:

Messrs.:	Cross	Lutz	Parker
Adwell	Culver	McBride	Robertson
Bank	Downing	McMillan	Smith (K)
Barkett	Erdreich	McNair	Snell
Benton	Falkenburg	Manley	Stokes
Boutwell	Flippo	May	Taylor
Callahan	Grainger	Meeks	Timmons
Carnes	Hardin	Merrill	Waggoner
Cauthen	Harris	Naramore	Waldrop
Coshatt	Jones (F)	Nettles	Weeks

—39

Nays:

Mr. Speaker	Chesnut	Headley	Turner
Adams	Connell	Jackson	Turnham
Barron	Crawford	Owens	Warren
Burgess	Ellis	Slate	Wise
Carter			

—17

The House proceeded to reconsider the bill:

H. 1901. Relating to all counties having populations of not less than 500,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Mr. Dill moved passage of the bill, H. 1901, the Governor's objection to the contrary notwithstanding.

And the bill, H. 1901, was again read at length and passed, the Governor's objection to the contrary notwithstanding.

Yeas 55; Nays 22.

Yeas:

Messrs.:	Barkett	Boutwell	Carnes
Adwell	Bassett	Bowers	Cauthen
Bank	Benton	Callahan	Chesnut

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Collins	Grainger	McBride	Roberts
Coshatt	Gray (F)	McCluskey	Smith (K)
Cross	Hale	McMillan	Snell
Culver	Hardin	McNair	Stokes
Dill	Harris	Manley	Taylor
Downing	Hill	Mathews	Timmons
Easters	Hobbie	May	Waggoner
Ellis	Jackson	Meeks	Waldrop
Erdreich	Jones (F)	Naramore	Weeks
Falkenburg	King	Nettles	Wood
Flippo	Lutz	Parker	Wynot

—55

Nays:

Mr. Speaker	Cottingham	Owens	Therrell
Adams	Crawford	Perloff	Turner
Agee	Fite	Reid (R)	Turnham
Barron	Grey (D)	Slate	Warren
Burgess	Headley	Stewart	Wise
Connell	Merrill		

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Which was a majority of the whole number elected to the House.

UNANIMOUS CONSENT GRANTED

Having inadvertently voted "Yea" on the passage of the bill, H. 1901, over the Governor's veto, Mr. Jackson requested unanimous consent for the Journal to show him voting "Nay".

BILLS ON THIRD READING RESUMED

And the bill:

S. 761. To provide an additional expense allowance for the Circuit Judges of the Ninth Judicial Circuit.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Headley	Merrill
Adams	Crawford	Hill	Naramore
Agee	Cross	Hobbie	Owens
Bank	Crowe	Hughes	Parker
Barkett	Culver	Jackson	Perloff
Barron	Downing	Jones (F)	Porter
Bassett	Edwards	King	Pruitt
Benton	Ellis	Kinsey	Reed (T)
Boutwell	Falkenburg	Lang	Reynolds
Bowers	Fite	Lutz	Robertson
Callahan	Flippo	McBride	St. John
Carnes	Gafford	McCluskey	Slate
Carter	Goodwin	McDonald	Smith (K)
Casey	Grainger	McMillan	Smith (P)
Cauthen	Gray (F)	McNair	Snell
Chesnut	Grey (D)	Manley	Stewart
Collins	Hale	Mathews	Stokes
Connell	Hardin	May	Stubbs
Coshatt	Harris	Meeks	Taylor

Therrell
Turner
Turnham

Waggoner
Waldrop
Wallace

Weeks
Williams

Wise
Wynot

—86

And the bill:

S. 853. Creating the position of full time deputy district attorney for the eighth judicial circuit; providing compensation for such position.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker
Adams
Agee
Bank
Barkett
Barron
Bassett
Benton
Boutwell
Bowers
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham
Crawford
Cross

Crowe
Culver
Downing
Edwards
Ellis
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Gray (F)
Grey (D)
Hale
Hardin
Harris
Headley
Hill
Hobbie
Hughes
Jackson
Jones (F)

King
Kinsey
Lang
Lutz
McBride
McCluskey
McDonald
McMillan
McNair
Manley
Mathews
May
Meeks
Merrill
Naramore
Owens
Parker
Perloff
Porter
Pruitt
Reed (T)

Reynolds
Robertson
St. John
Slate
Smith (K)
Smith (P)
Snell
Stewart
Stokes
Stubbs
Taylor
Therrell
Turner
Turnham
Waggoner
Waldrop
Wallace
Weeks
Williams
Wise
Wynot

—86

And the bill:

S. 759. To authorize the incorporation in any county in this state having a population of not less than 50,000 nor more than 100,000 according to the most recent federal decennial census of one or more public corporations for hospital purposes, including the acquisition, financing, owning, operating and/or leasing of hospitals, clinics, sanatoria, nursing homes, offices for persons engaged in the diagnosis, treatment or cure of sick or injured persons and buildings to house or service equipment used for the diagnosis or treatment of sick or injured persons or the records of such diagnosis or treatment or research with respect to any of the foregoing, or for dormitories or residences for hospital personnel and students, together with all real property for the location or better utilization of a hospital, medical clinic, buildings, parking areas, garages, storage facilities, outbuildings, machinery, equipment, furniture and fixtures useful or desirable in the operation of any of the aforesaid facilities; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors; to provide for the offices of Chairman and Vice Chairman of the board of directors of such corporation; to specify the powers of such board of directors and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties and revenues as security therefor; to provide that securities of such corporation shall be negotiable in-

struments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, any instrument executed as security therefor, all lease agreements made by such corporation and all revenues derived from such leases, and the income and properties of such corporation; to provide for the dissolution of such corporation; to exempt such corporations from the laws of this State governing usury or limiting interest rates and competitive bidding; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation without consideration therefor hospitals, other public health facilities, any funds and assets, tangible or intangible, relative to the ownership or operation of any hospital, and funds raised or allocated for hospital purposes.

Was taken up.

Mr. Flippo offered the following amendment to the bill:

Delete Section 5, pages 6, 7 and 8, and insert in lieu thereof the following new Section 5:

Section 5. Board of Directors. The corporation shall have a board of directors in which all powers of the corporation shall be vested. The board of directors shall consist of the following members: (a) The probate judge of such county and two (2) members appointed by such probate judge who shall be citizens of such county. The probate judge shall serve for a term concurrent with the term of his office and his appointees shall serve for terms of two (2) years and four (4) years respectively and thereafter the successors of these two (2) appointees shall serve for terms of four (4) years. (b) With respect to each member municipality, its mayor or other chief executive officer shall serve for a term concurrent with his term of office. Said mayor or other chief executive officer shall appoint two (2) other board members who shall be residents of such county covered under the provisions of this Act and who shall serve terms of office of two (2) years and four (4) years respectively and thereafter their successors shall serve for terms of four (4) years. (c) The Legislative delegation of such county shall appoint three (3) members on such board who shall be citizens of such county and shall serve for terms of two (2), three (3) and four (4) years respectively and thereafter their successors shall serve for a term of four (4) years. Each member of the board of directors shall serve until his successor is elected. If any director dies or resigns or become incapable of acting as a director or ceases to reside in the county, the appointing authority of such director shall elect a successor to serve for the unexpired period of his term of office. Such probate judge and mayor or other chief executive officer of any municipality covered under the provisions of this Act may succeed themselves in office if they are again elected to their respective public offices, as the case may be. The members of the board of directors shall serve without compensation, except they may be reimbursed for actual expenses incurred in the performance of their duties as director. No member of the board of directors other than the probate judge of such county and the mayor or other chief executive officer of any member municipality shall be an officer of the county or other member municipality. Such probate judge and mayor or other chief executive officer of any member municipality shall rotate each calendar year as chairman of the board of directors and vice-chairman or chairmen of the board of directors of the corporation.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill, S. 759 as thus amended, was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 762. To provide for an additional expense allowance for the District Attorney of the Ninth Judicial Circuit.

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Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 763. To provide an expense allowance for the District Attorney of the Thirty-eighth Judicial Circuit.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 764. To provide for an expense allowance for the Circuit Judge of the Thirty-eighth Judicial Circuit.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 779. To authorize the district attorney of the Thirty-Eighth Judicial Circuit to appoint a part-time deputy district attorney, and to prescribe his duties; to fix his compensation and the manner of its payment.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins	Grainger	McBride
Adams	Connell	Gray (F)	McCluskey
Agee	Coshatt	Grey (D)	McDonald
Bank	Cottingham	Hale	McMillan
Barkett	Crawford	Hardin	McNair
Barron	Cross	Harris	Manley
Bassett	Crowe	Headley	Mathews
Benton	Culver	Hill	May
Boutwell	Downing	Hobbie	Meeks
Bowers	Edwards	Hughes	Merrill
Callahan	Ellis	Jackson	Naramore
Carnes	Falkenburg	Jones (F)	Owens
Carter	Fite	King	Parker
Casey	Flippo	Kinsey	Perloff
Cauthen	Gafford	Lang	Porter
Chesnut	Goodwin	Lutz	Pruitt

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Reed (T)	Smith (P)	Therrell	Wallace
Reynolds	Snell	Turner	Weeks
Robertson	Stewart	Turnham	Williams
St. John	Stokes	Waggoner	Wise
Slate	Stubbs	Waldrop	Wynot
Smith (K)	Taylor		

—86

And the bill:

S. 780. To authorize the district attorney of the Ninth Judicial Circuit to appoint one full-time and one part-time deputy district attorney, and to prescribe their duties; to fix their compensation and the manner of its payment.

Was taken up.

Mr. Williams offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To authorize the district attorney of the Ninth Judicial Circuit to appoint two part-time deputy district attorneys, and to prescribe their duties; to fix their compensation and the manner of its payment.

Be It Enacted by the Legislature of Alabama:

Section 1. The district attorney of the Ninth Judicial Circuit of Alabama may appoint two part-time deputy district attorneys who shall serve at the pleasure of the district attorney.

Section 2. One deputy district attorney shall reside in and maintain his main office in the more populous county of the circuit, and shall be paid an annual salary of \$4,800. The other deputy district attorney shall reside in the less populous county of the circuit and, shall be paid an annual salary of \$2,400. The salaries herein provided shall be paid out of the state treasury in the same manner as other state officers are paid and shall be in addition to any amounts paid by the respective counties as provided by law. Either deputy district attorney may serve as the County District Attorney (County Solicitor) in the county where he resides.

Section 3. Either of the deputy district attorneys whose appointment is herein authorized may perform any of the duties which the district attorney can perform when any such duty is assigned to him by the district attorney, and said deputy district attorneys shall perform other duties assigned to them by the district attorney.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective January 1, 1974.

And the substitute was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill, S. 780 as thus amended, was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 799. To give statutory recognition to the condominium form of ownership of real property in Barbour County and prescribe regulations therefor.

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Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 823. To authorize the governing body of Barbour County to provide for the relief of Evelyn Herring for the damage to her automobile due to a defective county road.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 833. To provide additional compensation for each official court reporter of the Thirty-eighth Judicial Circuit.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 834. To establish in the Thirty-eighth Judicial Circuit the office of clerk-secretary to each circuit judge of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the county comprising the Thirty-eighth Judicial Circuit.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cauthen	Fite	Jackson
Adams	Chesnut	Flippo	Jones (F)
Agee	Collins	Gafford	King
Bank	Connell	Goodwin	Kinsey
Barkett	Coshatt	Grainger	Lang
Barron	Cottingham	Gray (F)	Lutz
Bassett	Crawford	Grey (D)	McBride
Benton	Cross	Hale	McCluskey
Boutwell	Crowe	Hardin	McDonald
Bowers	Culver	Harris	McMillan
Callahan	Downing	Headley	McNair
Carnes	Edwards	Hill	Manley
Carter	Ellis	Hobbie	Mathews
Casey	Falkenburg	Hughes	May

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Meeks	Reed (T)	Stewart	Waggoner
Merrill	Reynolds	Stokes	Waldrop
Naramore	Robertson	Stubbs	Wallace
Owens	St. John	Taylor	Weeks
Parker	Slate	Therrell	Williams
Perloff	Smith (K)	Turner	Wise
Porter	Smith (P)	Turnham	Wynot
Pruitt	Snell		

—86

And the bill:

S. 836. To amend Act 249, S. 171, Regular Session 1973, which provides additional compensation for the official court reporters of the ninth judicial circuit, so as to change the method of payment.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Gray (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 863. (With Substitute): Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salaries of bailiffs appointed by any circuit judge of the judicial circuit in which such county lies.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to all counties having populations of not less than 65,000 nor

more than 68,000; providing further for the salaries of bailiffs appointed by any circuit judge of the judicial circuit in which such county lies.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 65,000 nor more than 68,000, according to the most recent federal decennial census, each bailiff appointed by a circuit judge of the judicial circuit in which such county lies, shall be entitled to receive out of the treasury of the county a salary of not less than \$4,800 nor more than \$7,200 per annum with the exact amount to be fixed by the judge making the appointment. Such salaries shall be paid in equal monthly installments in the same manner as other county employees are paid.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill, S. 863 as thus amended, was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Bowers
Adams	Barkett	Benton	Callahan
Agee	Barron	Boutwell	Carnes

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Carter	Goodwin	McDonald	Slate
Casey	Grainger	McMillan	Smith (K)
Cauthen	Gray (F)	McNair	Smith (P)
Chesnut	Grey (D)	Manley	Snell
Collins	Hale	Mathews	Stewart
Connell	Hardin	May	Stokes
Coshatt	Harris	Meeks	Stubbs
Cottingham	Headley	Merrill	Taylor
Crawford	Hill	Naramore	Therrell
Cross	Hobbie	Owens	Turner
Crowe	Hughes	Parker	Turnham
Culver	Jackson	Perloff	Waggoner
Downing	Jones (F)	Porter	Waldrop
Edwards	King	Pruitt	Wallace
Ellis	Kinsey	Reed (T)	Weeks
Falkenburg	Lang	Reynolds	Williams
Fite	Lutz	Robertson	Wise
Flippo	McBride	St. John	Wynot
Gafford	McCluskey		

—86

And the bill:

S. 866. (With Substitute): Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salary of the clerical assistant to the district attorney of the judicial circuit in which such county lies.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the salary of the clerical assistant to the district attorney of the judicial circuit in which such county lies.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties having populations of not less than 65,000 nor more than 68,000, according to the most recent federal decennial census, the clerical assistant to the district attorney of the judicial circuit in which such county lies, shall be entitled to receive a salary of not less than \$4,800 nor more than \$7,200, with the exact amount to be fixed by the district attorney. Such salary shall be paid in equal monthly installments out of the county treasury in the same manner as other county employees are paid.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill, S. 866 as thus amended, was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 868. (With Substitute): Relating to all counties having populations

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of not less than 65,000 nor more than 68,000; providing further for the compensation and expenses of the circuit clerk in such counties.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation and expenses of the circuit clerk in such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply to all counties having populations of not less than 65,000 nor more than 68,000 according to the most recent federal decennial census.

Section 2. In all counties to which this act applies, the clerk of the circuit court shall be entitled to an expense allowance of one thousand dollars (\$1,000) per annum, which shall be paid in equal monthly installments out of the general funds of the county.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective October 1, 1973.

SUBSTITUTE TABLED

On motion of Mr. Smith (P), the substitute was tabled.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Headley	Merrill
Adams	Crawford	Hill	Naramore
Agee	Cross	Hobbie	Owens
Bank	Crowe	Hughes	Parker
Barkett	Culver	Jackson	Perloff
Barron	Downing	Jones (F)	Porter
Bassett	Edwards	King	Pruitt
Benton	Ellis	Kinsey	Reed (T)
Boutwell	Falkenburg	Lang	Reynolds
Bowers	Fite	Lutz	Robertson
Callahan	Flippo	McBride	St. John
Carnes	Gafford	McCluskey	Slate
Carter	Goodwin	McDonald	Smith (K)
Casey	Grainger	McMillan	Smith (P)
Cauthen	Gray (F)	McNair	Snell
Chesnut	Grey (D)	Manley	Stewart
Collins	Hale	Mathews	Stokes
Connell	Hardin	May	Stubbs
Coshatt	Harris	Meeks	Taylor

Therrell
Turner
TurnhamWaggoner
Waldrop
WallaceWeeks
WilliamsWise
Wynot

—86

And the bill, S. 868, was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker
Adams
Agee
Bank
Barkett
Barron
Bassett
Benton
Boutwell
Bowers
Callahan
Carnes
Carter
Casey
Cauthen
Chesnut
Collins
Connell
Coshatt
Cottingham
Crawford
CrossCrowe
Culver
Downing
Edwards
Ellis
Falkenburg
Fite
Flippo
Gafford
Goodwin
Grainger
Gray (F)
Grey (D)
Hale
Hardin
Harris
Headley
Hill
Hobbie
Hughes
Jackson
Jones (F)King
Kinsey
Lang
Lutz
McBride
McCluskey
McDonald
McMillan
McNair
Manley
Mathews
May
Meeks
Merrill
Naramore
Owens
Parker
Perloff
Porter
Pruitt
Reed (T)Reynolds
Robertson
St. John
Slate
Smith (K)
Smith (P)
Snell
Stewart
Stokes
Stubbs
Taylor
Therrell
Turner
Turnham
Waggoner
Waldrop
Wallace
Weeks
Williams
Wise
Wynot

—86

And the bill:

S. 869. (With Substitute): Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation of the register of the circuit court in such counties.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to all counties having populations of not less than 65,000 nor more than 68,000; providing further for the compensation of the register of the circuit court in such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. In all counties to which this act applies, the register of the circuit court shall be entitled to an expense allowance of one thousand (\$1,000.00) per annum, which shall be paid in equal monthly installments out of the general funds of the county.

Section 2. All laws or parts of laws which conflict with this act are repealed.

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Section 3. This act shall become effective October 1, 1973.

SUBSTITUTE TABLED

On motion of Mr. Smith (P), the substitute was tabled.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill, S. 869, was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 875. Relating to counties having a population of not less than 22,250 nor more than 23,000 according to the most recent federal decennial census; authorizing the District Attorney of such counties to appoint one Deputy District Attorney; providing for compensation.

Was read a third time at length and passed

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 879. To establish in the Ninth Judicial Circuit the office of clerk-secretary to each of the two circuit judges of said circuit; to prescribe the duties of said clerk-secretary, fix the term of office and prescribe the pay; and to provide for the payment of the salary of said clerk-secretary out of the general funds of the counties comprising the Ninth Judicial Circuit.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Carter	Downing	Hardin
Adams	Casey	Edwards	Harris
Agee	Cauthen	Ellis	Headley
Bank	Chesnut	Falkenburg	Hill
Barkett	Collins	Fite	Hobbie
Barron	Connell	Flippo	Hughes
Bassett	Coshatt	Gafford	Jackson
Benton	Cottingham	Goodwin	Jones (F)
Boutwell	Crawford	Grainger	King
Bowers	Cross	Gray (F)	Kinsey
Callahan	Crowe	Grey (D)	Lang
Carnes	Culver	Hale	Lutz

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McBride	Naramore	Slate	Turner
McCluskey	Owens	Smith (K)	Turnham
McDonald	Parker	Smith (P)	Waggoner
McMillan	Perloff	Snell	Waldrop
McNair	Porter	Stewart	Wallace
Manley	Pruitt	Stokes	Weeks
Mathews	Reed (T)	Stubbs	Williams
May	Reynolds	Taylor	Wise
Meeks	Robertson	Therrell	Wynot
Merrill	St. John		

—86

And the bill:

S. 933. To provide the sheriff's department of Baldwin County with a specific number of employees, establishing the rate of compensation for said employees, and providing for training of such.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 934. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in counties having less than 16,350 nor more than 16,650 population according to the most recent Federal Decennial Census.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Carter
Adams	Barron	Bowers	Casey
Agee	Bassett	Callahan	Cauthen
Bank	Benton	Carnes	Chesnut

Collins	Grey (D)	McNair	Smith (K)
Connell	Hale	Manley	Smith (P)
Coshatt	Hardin	Mathews	Snell
Cottingham	Harris	May	Stewart
Crawford	Headley	Meeks	Stokes
Cross	Hill	Merrill	Stubbs
Crowe	Hobbie	Naramore	Taylor
Culver	Hughes	Owens	Therrell
Downing	Jackson	Parker	Turner
Edwards	Jones (F)	Perloff	Turnham
Ellis	King	Porter	Waggoner
Falkenburg	Kinsey	Pruitt	Waldrop
Fite	Lang	Reed (T)	Wallace
Flippo	Lutz	Reynolds	Weeks
Gafford	McBride	Robertson	Williams
Goodwin	McCluskey	St. John	Wise
Grainger	McDonald	Slate	Wynot
Gray (F)	McMillan		

—86

And the bill:

S. 938. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, abolishing the Board of Revenue, establishing in lieu thereof a commission and providing for election of a president and members of said commission for the nomination of members thereof from districts herein prescribed and to prescribe the functions, jurisdiction, powers, and duties of such commission and the president and members thereof.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 940. Relating to Tuscaloosa County to amend Sections 7, 11, 22, 23, 25, and 29, of Act No. 328, H. 854 (Acts 1959, p. 907, Vol. 2), as last

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amended, which bill relates to the Firemen's and Policemen's Pensions and Relief Fund for the City of Tuscaloosa, Alabama, changing the percentage composition of the fund, changing the percentage investments of the fund, prescribing limits for disability benefits and payments to dependents of members, and fixing the maximum monthly benefit for a fireman or policeman retiring on or after the effective date of this Amendatory Act.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 757. Applicable to any county having a population of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to provide that charitable funds contributed to such county may be used to carry out the provisions of Act No. 394, H. 204, Regular Session 1957 (Acts 1957, p. 539).

Was taken up.

Mr. Turner offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census; to authorize the governing body to use funds donated for hospital service to indigents for matching funds under the provisions of Act No. 394, H. 204, Regular Session 1957 (Acts 1957, p. 539) and for matching any other state or federal funds available for hospital service to indigents.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of any county having a population of not less than 54,500 nor more than 56,000, according to the most recent federal decennial census, is hereby authorized to use and appropriate any funds donated or contributed to the county for the specified purpose of hospital service to indigents for matching funds under the provisions of Act No. 394, H. 204, Regular Session 1957 (Acts 1957, p. 539) and for matching any other state or federal funds available for hospital service to indigents.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill, S. 757 as thus amended, was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Benton	Cauthen	Cross
Adams	Boutwell	Chesnut	Crowe
Agee	Bowers	Collins	Culver
Bank	Callahan	Connell	Downing
Barkett	Carnes	Coshatt	Edwards
Barron	Carter	Cottingham	Ellis
Bassett	Casey	Crawford	Falkenburg

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Fite	Jones (F)	Naramore	Stewart
Flippo	King	Owens	Stokes
Gafford	Kinsey	Parker	Stubbs
Goodwin	Lang	Perloff	Taylor
Grainger	Lutz	Porter	Therrell
Gray (F)	McBride	Pruitt	Turner
Grey (D)	McCluskey	Reed (T)	Turnham
Hale	McDonald	Reynolds	Waggoner
Hardin	McMillan	Robertson	Waldrop
Harris	McNair	St. John	Wallace
Headley	Manley	Slate	Weeks
Hill	Mathews	Smith (K)	Williams
Hobbie	May	Smith (P)	Wise
Hughes	Meeks	Snell	Wynot
Jackson	Merrill		

—86

And the bill:

S. 828. Relating to Dale County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Dale County.

Was taken up.

S. 828 POSTPONED

On motion of Mr. Connell, the bill S. 828 was postponed to the thirty-sixth legislative day.

And the bill:

S. 897. To provide for a stenographic secretary for the District Attorney of the Thirty-First Judicial Circuit.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins	Grainger	McBride
Adams	Connell	Gray (F)	McCluskey
Agee	Coshatt	Grey (D)	McDonald
Bank	Cottingham	Hale	McMillan
Barkett	Crawford	Hardin	McNair
Barron	Cross	Harris	Manley
Bassett	Crowe	Headley	Mathews
Benton	Culver	Hill	May
Boutwell	Downing	Hobbie	Meeks
Bowers	Edwards	Hughes	Merrill
Callahan	Ellis	Jackson	Naramore
Carnes	Falkenburg	Jones (F)	Owens
Carter	Fite	King	Parker
Casey	Flippo	Kinsey	Perloff
Cauthen	Gafford	Lang	Porter
Chesnut	Goodwin	Lutz	Pruitt

Reed (T)
Reynolds
Robertson
St. John
Slate
Smith (K)

Smith (P)
Snell
Stewart
Stokes
Stubbs
Taylor

Therrell
Turner
Turnham
Waggoner
Waldrop

Wallace
Weeks
Williams
Wise
Wynot

—86

And the bill:

H. 1452. (With Substitute): To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuskegee, Macon County, Alabama.

Was taken up.

The question was then on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuskegee, Macon County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Tuskegee in Macon County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described territory:

Area #1

Beginning at the Southwest corner of Section 23, T-17-N, R-23-E, in Macon County, Alabama, said point being an angle point in the existing boundary of the Corporate Limits of The City of Tuskegee, Alabama; thence North along the West line of Section 23, and Section 14, T-17-N, R-23-E, 6900 feet more or less, to a point that is 600 feet Northwesterly of and at right angles to the Northwesterly right-of-way line of Interstate Highway No. I-85, thence Northeasterly along a line that is parallel to and 600 feet at right angles from the said Northwesterly right-of-way line of said Interstate Highway No. I-85, 3200 feet, more or less to the West line of the East ½ of Section 14, T-17-N, R-23-E; thence South along last said half Section line, 3700 feet, more or less to the North line of Section 23, T-17-N, R-23-E; thence East along the North line of Section 23, T-17-N, R-23-E; and the North line of Section 24, T-17-N, R-23-E, 5280 feet, more or less, to the West line of the East ½ of Section 13, T-17-N, R-23-E; thence North along the West line of the East ½ of Section 13, T-17-N, R-23-E, and the West line of the East ½ of Section 12, T-17-N, R-23-E, 7000 feet, more or less to the Southwesterly right-of-way line of Alabama Highway No. 199, thence Northwesterly, Westerly, and Northwesterly along a line parallel to and 80 feet from the center line of said Highway 21,900 feet more or less to a point that is 40 feet Southeasterly from the center of Bulger Creek, thence along a line parallel with and 40 feet from the center of said Bulger Creek, through the following points, S41°44'W, 1270.6 feet, S2°57'E, 1077.7 feet, S27°13'W, 1229.9 feet,

S43°20'W, 1422.1 feet to a point in the West line of Section 4, T-17-N, R-23-E; thence South along the West line of last said Section 4, 3700' more or less, to the centerline of the Western Railway of Alabama, Railroad Right-of-way; thence Westerly along said Right-of-Way centerline, 8000 feet, more or less to the West line of the East ½ of Section 7, T-17-N, R-23-E; thence North along the West line of the East ½ of Section 7, T-17-N, R-23-E; thence and Section 31, T-18-N, R-23-E, 8000 Feet more or less to the North line of the South ½ of Section 31, T-18-N, R23-E; thence East along the North line of the Southeast ¼ of last said Section 31, 2640 feet to the West line of Section 32, T-18-N, R-23-E; thence North along the West line of Sections 32 T-18-N, R-23-E, 2640 feet, more or less to the North line of said Section 32; thence East along the North line of last said Section 32, 5280 feet more or less to the Northeast corner of said Section 32; thence South along the East line of Section 32, T18-N, R-23-E, 1800 feet more or less, to the centerline of Macon County Highway No. 48; thence Easterly along the centerline of last said Highway No. 48, 2000 feet more or less to the intersection of the centerlines of County Highway No. 48 and Alabama Highway No. 199; thence Easterly along the centerline of last said Alabama Highway No. 199, 500 feet, more or less, to the centerline of Bulger Creek; thence Northerly along the centerline of last said creek 80 feet, more or less, to a point that is 80 feet from the centerline of Alabama Highway No. 199; thence Southeasterly, Easterly and Southeasterly along a line parallel to and 80 feet from the centerline of said Highway 21,900 feet more or less, to the West line of the East ½ of Section 12, T-17-N, R-23-E; thence North along last said line 1600 feet, more or less, to the centerline of Uphapee Creek; thence meandering up the centerline of said Uphapee Creek in a generally Southeasterly direction 17,200 feet, more or less, to the East line of the West ½ of Section 17, T-17-N, R-24-E; thence South along last said line 1850 feet, more or less, to the South line of Section 17, T-17-N, R-4-E; thence West 2,700 feet more or less, along the South line of Sections 17 and 18, T-17-N, R-24-E, to a point on the centerline of Macon County Road No. 25, said point being in the existing boundary of the Corporate Limits of the City of Tuskegee, Alabama; thence meander along the Centerline of Macon County Road No. 25 in a Northwesterly direction 5020 feet, more or less, to the intersection of the Centerline of Alabama Highway No. 81; thence North 4 degrees 00 minutes East along the Centerline of Alabama Highway 81, 830 feet to its intersection with the Centerline of Alabama Highway No. 199; thence North 56 degrees 00 minutes West along the Centerline of Alabama Highway No. 199, 500 feet; thence, leaving said Highway, South 6 degrees 50 minutes West 7,125 feet, more or less; thence South 1,450 feet more or less; thence West 6,270 feet, more or less; thence South 1,925 feet, more or less; thence West 4,890 feet, more or less, to the point of beginning.

Area #2

Commencing at the Southeast corner of Section 3, T-16-N, R-23-E in Macon County, Alabama, said point being the Southwest corner of the existing Corporate Limits of the City of Tuskegee, Alabama; thence North, along the East line of said Section 3, said line also being the existing West Corporate Limits line, 3050 feet to a point that is 300 feet Southeasterly of and at right angles to the Southerly right-of-way lin of U. S. Highway No. 80, said point being the true point of beginning of the tract of land herein described; thence Southwesterly along a line that is parallel to and 300 feet at right angles from the said Southerly right-of-way line of said U. S. Highway No. 80, 12,740 feet, more or less, to the West line of Section 9, T-16-N, R-23-E;

thence North along said Section line, 1,035 feet, more or less, to a point that is 600 feet Northwesterly of and at right angles to the Northerly right-of-way line of said U. S. Highway No. 80; thence Northeasterly along a line that is parallel to and 600 feet at right angles to the said Northerly right-of-way line of said U. S. Highway No. 80. 12,460 feet, more or less, to the said East line of Section 3, T-16-N, R-23-E and the said existing West Corporate Limits line; thence South, along said last mentioned line, 955 feet, more or less, to the true point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill, H. 1452 as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Casey	Ellis	Hill
Adams	Cauthen	Falkenburg	Hobbie
Agee	Chesnut	Fite	Hughes
Bank	Collins	Flippo	Jackson
Barkett	Connell	Gafford	Jones (F)
Barron	Coshatt	Goodwin	King
Bassett	Cottingham	Grainger	Kinsey
Benton	Crawford	Gray (F)	Lang
Boutwell	Cross	Grey (D)	Lutz
Bowers	Crowe	Hale	McBride
Callahan	Culver	Hardin	McCluskey
Carnes	Downing	Harris	McDonald
Carter	Edwards	Headley	McMillan

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McNair	Perloff	Smith (P)	Turnham
Manley	Porter	Snell	Waggoner
Mathews	Pruitt	Stewart	Waldrop
May	Reed (T)	Stokes	Wallace
Meeks	Reynolds	Stubbs	Weeks
Merrill	Robertson	Taylor	Williams
Naramore	St. John	Therrell	Wise
Owens	Slate	Turner	Wynot
Parker	Smith (K)		

—86

And the bill:

H. 2258. To give statutory recognition to the condominium form of ownership of real property in all counties having a population of not less than 24,500 nor more than 25,000 inhabitants according to the most recent federal decennial census and prescribe regulations therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

H. 2288. Authorizing the governing body of Dallas County to pay the members of the Board of Registrars additional compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Barkett	Boutwell	Carter
Adams	Barron	Bowers	Casey
Agee	Bassett	Callahan	Cauthen
Bank	Benton	Carnes	Chesnut

Collins	Grey (D)	McNair	Smith (K)
Connell	Hale	Manley	Smith (P)
Coshatt	Hardin	Mathews	Snell
Cottingham	Harris	May	Stewart
Crawford	Headley	Meeks	Stokes
Cross	Hill	Merrill	Stubbs
Crowe	Hobbie	Naramore	Taylor
Culver	Hughes	Owens	Therrell
Downing	Jackson	Parker	Turner
Edwards	Jones (F)	Perloff	Turnham
Ellis	King	Porter	Waggoner
Falkenburg	Kinsey	Pruitt	Waldrop
Fite	Lang	Reed (T)	Wallace
Flippo	Lutz	Reynolds	Weeks
Gafford	McBride	Robertson	Williams
Goodwin	McCluskey	St. John	Wise
Grainger	McDonald	Slate	Wynot
Gray (F)	McMillan		

—86

And the bill:

H. 2289. To prohibit the hunting of wild deer with a rifle or carbine in the County of Cullman, and prescribing the penalty for such offense.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Grey (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

And the bill:

S. 943. Relating to counties having a population of not less than 53,000 nor more than 55,000; to provide an additional expense allowance for the probate judge.

Was read a third time at length and passed.

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Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crowe	King	Reynolds
Adams	Culver	Kinsey	Robertson
Agee	Downing	Lang	St. John
Bank	Edwards	Lutz	Slate
Barkett	Ellis	McBride	Smith (K)
Barron	Falkenburg	McCluskey	Smith (P)
Bassett	Fite	McDonald	Snell
Benton	Flippo	McMillan	Stewart
Boutwell	Gafford	McNair	Stokes
Bowers	Goodwin	Manley	Stubbs
Callahan	Grainger	Mathews	Taylor
Carnes	Gray (F)	May	Therrell
Carter	Gray (D)	Meeks	Turner
Casey	Hale	Merrill	Turnham
Cauthen	Hardin	Naramore	Waggoner
Chesnut	Harris	Owens	Waldrop
Collins	Headley	Parker	Wallace
Connell	Hill	Perloff	Weeks
Coshatt	Hobbie	Porter	Williams
Cottingham	Hughes	Pruitt	Wise
Crawford	Jackson	Reed (T)	Wynot
Cross	Jones (F)		

—86

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 653. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945 p. 478), an act providing for appointment and designation of Supernumerary Circuit Judges.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Doss, the House concurred in and adopted the Senate amendment to the bill, H. 653, said Senate amendment being as follows:

Amend the bill by inserting in lieu of subsection (2) of Section 1 thereof, the following:

(g). Who has served continuously for not less than eighteen years as a circuit judge; may elect to become a supernumerary circuit judge of the state by filing a written declaration to that effect with the governor. If any circuit judge of the state has served as a member of the legislature of Alabama or as a judge of a court of record, then he may elect in his written declaration to the governor to count the years of service in the legislature or court of record as judicial service in the position of circuit judge, provided that not more than two and one-half years service in the legislature or court of record shall be included in the total number of years served. If the governor shall find that any such declarant qualified under either subdivision (a), (b), (c), (d), (e), (f), or (g) hereinabove set forth, a commission as supernumerary circuit judge of the state of Alabama shall thereupon be issued to such declarant by the

governor. The office of circuit judge made vacant by the election of such declarant shall be filled by appointment of the governor as now provided by law. This section shall apply only to circuit judges who have been elected to that office, and are serving as circuit judges at the time of passage of this act.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Doss	Hughes	Nettles
Bank	Downing	Jackson	Owens
Barkett	Ellis	Jones (F)	Parker
Bassett	Falkenburg	King	Reid (R)
Boutwell	Fite	Lutz	St. John
Carnes	Gafford	McBride	Smith (P)
Carter	Grainger	McCluskey	Stubbs
Casey	Gray (F)	McCorquodale	Timmons
Cauthen	Grey (D)	McDonald	Turner
Chesnut	Hardin	McMillan	Waldrop
Connell	Harris	McNair	Wallace
Cottingham	Headley	May	Weeks
Cross	Hearn	Merrill	Wood
Culver	Hobbie	Naramore	Wynot
Dill			

—57

And the bill, H. 653 as thus amended, was read again at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cross	Hearn	O'Daniel
Adams	Culver	Hobbie	Owens
Adwell	Dill	Hughes	Parker
Bank	Doss	Jackson	Reed (T)
Barkett	Downing	Jones (F)	Reid (R)
Barron	Ellis	King	St. John
Bassett	Erdreich	Lutz	Smith (P)
Boutwell	Falkenburg	McBride	Stokes
Bowers	Fite	McCluskey	Stubbs
Brassell	Gafford	McCorquodale	Timmons
Carnes	Goodwin	McDonald	Turner
Carter	Grainger	McMillan	Waldrop
Casey	Gray (F)	McNair	Wallace
Chesnut	Grey (D)	May	Weeks
Connell	Hardin	Merrill	Wynot
Cottingham	Headley	Mims	

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MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning

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House Bill Number 1809, without the Governor's approval, and with a suggested Executive Amendment.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 5th DAY OF SEPTEMBER, 1973.

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 1809 without my approval and with a suggested Executive Amendment.

It is suggested that that portion of the title which reads as follows be deleted:

"(Acts 1969, Regular Session, p. 794)" and substituted therefor the following:

"(Acts 1969, Regular Session, p. 763)".

It is further suggested that the following be deleted:

"Section 1. Section 1 of Act No. 286, H. 960, Regular Session 1962 (Acts 1969, Regular Session, p. 764) is hereby amended to read as follows:" and the following substituted therefor:

"Section 1. Section 1 of Act No. 386, H. 960, Regular Session 1969 (Acts 1969, Regular Session, p. 763) is hereby amended to read as follows:"

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor of Alabama.

GOVERNOR'S MESSAGE

On motion of Mr. Wise, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1809, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cross	Gray (F)
Adams	Carnes	Culver	Grey (D)
Barkett	Carter	Dill	Hardin
Barron	Chesnut	Doss	Harris
Bassett	Connell	Downing	Headley
Benton	Coshatt	Ellis	Hobbie
Boutwell	Cottingham	Grainger	Hughes

Jackson	McNair	Owens	Stubbs
Jones (F)	Mathews	Parker	Turner
King	May	Porter	Waldrop
Lutz	Meeks	Reid (R)	Wallace
McBride	Merrill	St. John	Weeks
McCluskey	Naramore	Smith (P)	Williams
McDonald	Nettles	Stokes	Wise
McMillan	O'Daniel		

—58

And the bill:

H. 1809. To amend Act No. 386, H. 960, Regular Session 1969 (Acts 1969, Regular Session, p. 794) so as to increase the compensation of the Judge of the Inferior Court of Geneva County.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Culver	King	Parker
Barkett	Dill	Lutz	Porter
Barron	Doss	McBride	St. John
Bassett	Downing	McCluskey	Smith (P)
Benton	Ellis	McCorquodale	Stewart
Boutwell	Erdreich	McDonald	Stokes
Bowers	Grainger	McMillan	Stubbs
Carnes	Gray (F)	McNair	Therrell
Carter	Grey (D)	Mathews	Turner
Casey	Hardin	May	Waldrop
Chesnut	Harris	Meeks	Wallace
Connell	Headley	Naramore	Weeks
Coshatt	Hobbie	Nettles	Williams
Cottingham	Hughes	O'Daniel	Wise
Crawford	Jackson	Owens	Wynot
Cross	Jones (F)		

—62

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning House Bill No. 644, without the Governor's approval, and with a suggested Executive Amendment.

Respectfully submitted,

HARRY L. PENNINGTON,
Executive Secretary.

DONE THIS 5th DAY OF AUGUST, 1973.

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To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill No. 644, without my approval and with the following suggested Executive Amendment:

Strike out Sections 1 and 2 in their entirety and insert in lieu thereof the following:

Section 1. Section 8 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), as amended, is further amended to read as follows:

"Section 8. The court of General Sessions of Mobile County shall have and exercise civil jurisdiction in Mobile County concurrently with the Circuit Court of Mobile County in all civil matters where the amount in controversy does not exceed one thousand five hundred dollars and in addition shall have jurisdiction over all civil matters where the amount in controversy is not more than fifty dollars. The court shall also have jurisdiction in matters pertaining to forcible entry and detainer, and unlawful detainer, where the real property lies anywhere within the limits of Mobile County, Alabama. The Court shall not have jurisdiction in equity nor of actions of libel, slander, assault and battery, ejectment and actions in the nature of ejectment. Nothing in this Act shall be construed to give the judges of the Court of General Sessions of Mobile County any authority to grant writs of certiorari, supersedeas, quo warranto, prohibition mandamus, injunction or ne exeat.

"All initial pleadings shall be in as simple a form as possible and shall be liberally construed so as to do substantial justice and all responsive pleadings shall be in short by consent."

Also renumber Sections 3 and 4, so that they will be Sections 2 and 3, respectively.

The adoption of the above suggested amendment will remove objections to the bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Perloff, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 644, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee

Barkett
Barron
Bassett
Benton

Boutwell
Brassell
Carnes
Carter

Cauthen
Chesnut
Collins
Connell

Coshatt	Grey (D)	McMillan	Smith (P)
Cottingham	Hardin	Mathews	Stokes
Cross	Headley	May	Stubbs
Culver	Hobbie	Meeks	Taylor
Dill	Hughes	Naramore	Therrell
Doss	Jackson	O'Daniel	Turner
Downing	Jones (F)	Owens	Waldrop
Ellis	King	Parker	Wallace
Erdreich	Lutz	Perloff	Weeks
Falkenburg	McBride	Porter	Wise
Goodwin	McCluskey	Roberts	Wood
Grainger	McCorquodale	St. John	Wynot
Gray (F)	McDonald	Slate	

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And the bill:

H. 644. To amend Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended relating to Courts of General Sessions of Mobile.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Dill	King	Roberts
Adwell	Doss	Kinsey	St. John
Agee	Downing	Lutz	Slate
Barkett	Ellis	McBride	Smith (P)
Barron	Erdreich	McCluskey	Stokes
Bassett	Falkenburg	McDonald	Stubbs
Benton	Goodwin	McMillan	Taylor
Boutwell	Grainger	May	Therrell
Carnes	Gray (F)	Meeks	Turner
Carter	Grey (D)	Naramore	Waldrop
Chesnut	Hardin	Nettles	Wallace
Collins	Headley	O'Daniel	Warren
Connell	Hearn	Owens	Weeks
Coshatt	Hobbie	Parker	Williams
Cottingham	Hughes	Perloff	Wise
Cross	Jackson	Porter	Wood
Culver	Jones (F)	Reynolds	Wynot

—68

UNANIMOUS CONSENT GRANTED

At the request of Mr. Perloff, unanimous consent was granted for the Journal to show him voting "Yea" on the bill, H. 644.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 610. To create a committee to study and review state government audit agencies and audit practices; to provide for the appointment of its members and to fix their terms of office; to prescribe the functions and duties of

the committee; to provide for the compensation of its members and payment of its expenses; and to make an appropriation for the use of the committee.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Adams, the House concurred in and adopted the Senate amendment to the bill, H. 610, said Senate amendment being as follows:

AMENDMENT TO H. B. 610 AS AMENDED

Amend Section 7 of H. B. 610 as amended by striking Section 7 as amended in its entirety and inserting in lieu thereof the following:

"Section 7. The sum of \$35,000 or so much thereof as may be necessary is hereby appropriated from any funds in the state treasury not otherwise appropriated, to the use of the committee created by this act. Provided, however, that this committee shall have one year from the date of its first meeting to carry out the provisions of this act and that until the elapse of the aforementioned time period, no part of this appropriation shall revert to the general fund at the end of any fiscal year."

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Culver	King	St. John
Adams	Dill	Kinsey	Slate
Adwell	Doss	Lutz	Smith (K)
Agee	Downing	McBride	Smith (P)
Barkett	Edwards	McCluskey	Snell
Barron	Ellis	McDonald	Stokes
Bassett	Erdreich	McMillan	Stubbs
Benton	Falkenburg	May	Taylor
Boutwell	Fite	Meeks	Therrell
Carnes	Grainger	Merrill	Turner
Carter	Gray (F)	Naramore	Waldrop
Chesnut	Grey (D)	O'Daniel	Wallace
Collins	Hardin	Owens	Warren
Connell	Headley	Parker	Weeks
Coshatt	Hughes	Perloff	Williams
Cottingham	Jackson	Porter	Wood
Cross	Jones (F)	Roberts	Wynot

—68

And the bill, H. 610 as thus amended, was again read at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cottingham	Ellis
Adams	Carnes	Cross	Erdreich
Adwell	Carter	Culver	Falkenburg
Barkett	Casey	Dill	Gafford
Barron	Chesnut	Doss	Grainger
Benton	Collins	Downing	Gray (F)
Boutwell	Connell	Edwards	Gray (D)

Hale
Hardin
Headley
Hughes
Jackson
Jones (F)
King
Kinsey
Lutz
McBride
McCluskey

McDonald
McMillan
Mathews
May
Meeks
Merrill
Mims
Naramore
O'Daniel
Owens
Parker

Perloff
Porter
Roberts
St. John
Slate
Smith (K)
Smith (P)
Snell
Stokes
Stubbs

Taylor
Therrell
Turner
Waldrop
Wallace
Warren
Williams
Wise
Wood
Wynot

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 845. Relating to the Fifteenth Judicial Circuit; to provide for additional Circuit Judge in such Circuit; defining his jurisdiction, powers, right and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Harris, the House concurred in and adopted the Senate amendment to the bill, H. 845, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Fifteenth Judicial Circuit; to provide for additional Circuit Judge in such Circuit; defining his jurisdiction, powers, right and authority; his qualifications and duties; to set his compensation and providing for the appointment of a bailiff and court reporter.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created an additional judgeship for the Fifteenth Judicial Circuit, which shall be designated Judgeship Number 4. The additional Judge shall be appointed for the Circuit by the Governor, within ten days after the effective date of this Act, who shall hold office until his successor is elected and qualified at the next general election for any State office. The Judge so elected shall hold office until the next general election for Circuit Judges. At the first general election for Circuit Judges held after the election of the first Judge to fill the judgeship hereby created and every six years thereafter, a Judge shall be elected to fill such judgeship at the same election as other Circuit Judges of the Fifteenth Judicial Circuit.

Section 2. The Judge appointed or elected as provided in Section 1 of this Act shall have and shall exercise all the jurisdiction, power, right and authority; shall possess all of the qualifications; shall perform all of the duties required; and shall be subject to all of the pains and penalties of such office as the other such Circuit Judges are subject to.

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Section 3. The compensation of such Judge shall be the same as and paid under the same terms and manner as that of other Circuit Judges in the Fifteenth Judicial Circuit.

Section 4. The Judge may appoint a bailiff and a court reporter whose qualifications, powers, duties, and authorities shall be the same as such other bailiffs and reporters of the Fifteenth Judicial Circuit and whose compensation shall be the same as and paid under the same terms and manner as other bailiffs and reporters of the Fifteenth Judicial Circuit.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part that remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones (F)	St. John
Adams	Dill	Kinsey	Slate
Adwell	Doss	Lutz	Smith (K)
Agee	Downing	McCluskey	Smith (P)
Barkett	Edwards	McDonald	Snell
Barron	Ellis	McMillan	Stokes
Benton	Erdreich	Mathews	Stubbs
Boutwell	Falkenburg	May	Taylor
Bowers	Gafford	Meeks	Therrell
Carnes	Grainger	Naramore	Turner
Carter	Gray (F)	O'Daniel	Waldrop
Casey	Hale	Owens	Wallace
Chesnut	Harris	Parker	Warren
Connell	Headley	Perloff	Williams
Cottingham	Hughes	Porter	Wood
Cross	Jackson	Roberts	Wynot

—64

And the bill, H. 845 as thus amended, was again read at length and passed.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Casey	Falkenburg	Lutz
Adams	Chesnut	Gafford	McBride
Adwell	Connell	Grainger	McCluskey
Agee	Cottingham	Gray (F)	McDonald
Barkett	Cross	Grey (D)	McMillan
Barron	Culver	Harris	Mathews
Bassett	Dill	Headley	May
Benton	Doss	Hughes	Meeks
Boutwell	Downing	Jackson	Merrill
Bowers	Edwards	Jones (F)	Naramore
Carnes	Ellis	King	O'Daniel
Carter	Erdreich	Kinsey	Owens

Parker
Perloff
Porter
Roberts
St. John
Smith (K)

Smith (P)
Snell
Stokes
Stubbs
Taylor

Therrell
Turner
Waggoner
Waldrop
Wallace

Warren
Weeks
Williams
Wood
Wynot

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1361. To provide for compensation of Deputy District Attorneys No. 1, No. 2, and No. 3 of the Sixth Judicial Circuit.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Culver, the House concurred in and adopted the Senate amendment to the bill, H. 1361, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for compensation of Deputy District Attorneys No. 1, No. 2, and No. 3 of the Sixth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Deputy District Attorneys No. 1, No. 2 and No. 3 of the Sixth Judicial Circuit shall be paid by the State of Alabama an annual salary of four thousand and eight hundred dollars (\$4,800.00) payable as the salaries of other state officers are paid.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker
Adams
Adwell
Agee
Barkett
Boutwell
Bowers
Carnes
Carter
Casey
Chesnut
Connell

Cottingham
Cross
Culver
Doss
Downing
Ellis
Erdreich
Falkenburg
Gafford
Grainger
Gray (F)
Grey (D)

Hardin
Headley
Hughes
Jones (F)
King
Kinsey
Lutz
McBride
McCluskey
McDonald
McMillan
Manley

May
Meeks
Merrill
Naramore
O'Daniel
Owens
Parker
Perloff
Porter
Roberts
St. John
Smith (K)

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Smith (P)	Taylor	Wallace	Williams
Snell	Therrell	Warren	Wood
Stokes	Waggoner	Weeks	Wynot
Stubbs	Waldrop		

—62

And the bill, H. 1361 as thus amended, was again read at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Culver	McCluskey	St. John
Adams	Doss	McDonald	Slate
Adwell	Downing	McMillan	Smith (K)
Agee	Ellis	Manley	Smith (P)
Bank	Erdreich	Mathews	Snell
Barkett	Falkenburg	May	Stokes
Bassett	Fite	Meeks	Taylor
Benton	Gafford	Merrill	Therrell
Boutwell	Grainger	Naramore	Waggoner
Bowers	Gray (F)	O'Daniel	Waldrop
Carnes	Grey (D)	Parker	Wallace
Carter	Hardin	Perloff	Warren
Casey	Headley	Porter	Weeks
Chesnut	Hughes	Pruitt	Williams
Connell	King	Reid (R)	Wood
Cottingham	Kinsey	Roberts	Wynot
Cross	McBride		

—66

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 787. To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and to provide the means and manner for the payment of the same, so as to provide further for such compensation. and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. O'Bannon, Lindsey and Lybrand.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hill, the House acceded to the request of the Senate for a Committee on Conference on the disagreement of the two Houses on the House amendment to the bill, S. 787.

And the Speaker named as a Committee on Conference, on the part of the House, Messrs. Hill, Coshatt and Reynolds.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the Bill:

S. 848. To provide for supplementing the salary or compensation paid to retired or supernumerary Circuit Judge having more than eighteen (18) years continuous service in office, as a Circuit Judge in the 31st Judicial Circuit of Alabama, consisting of Colbert County, and to provide an office in the Courthouse for such Judge.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. O'Bannon, Lindsey and Lybrand.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1530. To amend Section 3 of Act No. 96, H. 17, approved 1971, Special Session, p. 166, which levies and regulates a privilege tax against persons engaged in the business of leasing or renting tangible personal property, so as to further provide for exemptions from the computation of the amount of the tax levied.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Stubbs, the House concurred in and adopted the Senate amendment to the bill, H. 1530, said Senate amendment being as follows:

Amend House Bill 1530 by striking subsection (j) and inserting in lieu thereof the following:

“(j) The gross proceeds accruing from the leasing or rental of all structures, devices, facilities and identifiable components of any thereof acquired primarily for the control, reduction or elimination of air or water pollution, and the gross proceeds accruing from the leasing or rental of all materials used or intended for use in structures built primarily for the control, reduction or elimination of air or water pollution; and

(k) The gross proceeds derived by the lessor (which term includes a sub-lessor) from the leasing or rental of tangible personal property when the lessor and lessee (which term includes a sub-leasee) are wholly-owned subsidiary corporations of the same parent corporation or one is the wholly-owned subsidiary of the other, provided that the appropriate sales or use tax, if any was due, has been paid on such item of personal property, and provided further, that in the event of any subsequent subleasing of such tangible personal property to any person other than any such sister, parent or subsidiary corporation, any privilege or license tax due and payable with respect to such subsequent subleasing under the provisions of this act shall be paid.”

Yeas 63; Nays 0.

Yeas:

Mr. Speaker
Adams

Adwell
Agee

Bank
Barkett

Bassett
Boutwell

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Carnes	Grainger	Manley	Smith (P)
Carter	Gray (F)	Mathews	Snell
Casey	Grey (D)	May	Stokes
Chesnut	Headley	Meeks	Stubbs
Collins	Hill	Naramore	Therrell
Connell	Hughes	O'Daniel	Timmons
Cottingham	Jackson	Owens	Turner
Cross	King	Parker	Waldrop
Culver	Lutz	Perloff	Wallace
Downing	McBride	Porter	Weeks
Ellis	McCluskey	Pruitt	Williams
Falkenburg	McCorquodale	Reid (R)	Wise
Flippo	McDonald	St. John	Wynot
Gafford	McMillan	Smith (K)	

—63

And the bill, H. 1530 as thus amended, was again read at length and passed.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Downing	McBride	Reid (R)
Adams	Edwards	McCluskey	St. John
Adwell	Ellis	McCorquodale	Smith (K)
Agee	Falkenburg	McDonald	Smith (P)
Bank	Flippo	McMillan	Snell
Barkett	Gafford	Manley	Stokes
Bassett	Grainger	Mathews	Stubbs
Boutwell	Gray (F)	May	Therrell
Carnes	Grey (D)	Meeks	Timmons
Carter	Hardin	O'Daniel	Waldrop
Casey	Headley	Owens	Wallace
Chesnut	Hill	Parker	Weeks
Connell	Hughes	Perloff	Williams
Cottingham	King	Porter	Wood
Cross	Lutz	Pruitt	Wynot
Culver			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 1549. To further amend Act No. 168, H. 270, Special Session 1966 (Acts 1966, p. 190), as amended, relating to the Alabama Historical Commission by increasing the Commission membership.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hardin, the House concurred in and adopted the Senate amendment to the bill, H. 1549, said Senate amendment being as follows:

In the first sentence of the synopsis of the bill strike the number "19" and insert in lieu thereof the number 20.

Also, strike out in its entirety Section 13 of Act No. 168, H. 270, Special Session 1966 (Acts 1966, p. 190), as amended, as it appears in Section 1 of the bill and insert in lieu thereof the following:

"Section 13. The commission shall consist of twenty (20) members; one of whom shall be the governor; one of whom shall be the lieutenant governor; one of whom shall be the speaker of the house of representatives; one of whom shall be the director of the department of archives and history; one of whom shall be the director of the state department of publicity and information; one of whom shall be the director of the department of conservation; one of whom shall be the director of the state building commission; and thirteen (13) other persons to be appointed by the governor; one of whom shall be selected from a list of three (3) nominees submitted by the Alabama council of the American institute of architects; one from a list of three (3) nominees submitted by the Alabama historical association; one from a list of three (3) nominees submitted by the Alabama state chamber of commerce; one from a list of three (3) nominees submitted by the Alabama farm bureau federation; one from a list of three (3) nominees submitted by the president of the University of Alabama; one from a list of three (3) nominees submitted by the president of Auburn University; one from a list of three (3) nominees submitted by the president of the University of South Alabama; one from a list of three (3) nominees submitted by the president of Troy State University; one from a list of three (3) nominees submitted by the president of University of Montevallo; one from a list of three (3) qualified archaeologists nominated by the Alabama archaeological society; and three (3) from the state-at-large. Said nominees and appointees shall be persons who have demonstrated interest in and concern about the preservation of this state's rich history and traditions, and who are conversant with the history of the state and who are qualified to direct and supervise the work of the commission. The members appointed by the governor shall serve for terms of six (6) years each, except that the term of the members of the first commission shall be three (3) years for one half (½) of the members appointed by the governor and six (6) years for the remaining members. After the expiration of the term of the initial members all members appointed by the governor shall be appointed for terms of six (6) years each. Any member of the commission may be removed by the governor for cause, and vacancies in the commission shall be filled by the governor by the appointment of a competent and qualified person for the unexpired term, from a list of three (3) nominees submitted to him by the organization which originally nominated the member being replaced."

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Chesnut	Grainger	McBride
Adams	Connell	Gray (F)	McCluskey
Adwell	Cottingham	Grey (D)	McCorquodale
Agee	Cross	Hardin	McDonald
Bank	Culver	Headley	McMillan
Barkett	Downing	Hill	Manley
Bassett	Edwards	Hughes	May
Boutwell	Ellis	Jackson	Meeks
Carnes	Falkenburg	King	Mims
Carter	Flippo	Lang	O'Daniel
Casey	Gafford	Lutz	Owens

REGULAR SESSION
35th Day

5143

Parker	St. John	Stubbs	Weeks
Perloff	Slate	Therrell	Williams
Porter	Smith (K)	Timmons	Wise
Pruitt	Smith (P)	Waldrop	Wood
Reid (R)	Snell	Wallace	Wynot
Roberts	Stokes		

—66

And the bill, H. 1549 as thus amended, was read again at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Downing	McBride	St. John
Adams	Edwards	McCluskey	Slate
Adwell	Ellis	McCorquodale	Smith (K)
Agee	Falkenburg	McDonald	Smith (P)
Barkett	Flippo	McMillan	Snell
Bassett	Gafford	Manley	Stokes
Boutwell	Grainger	May	Stubbs
Bowers	Gray (F)	Meeks	Therrell
Carnes	Grey (D)	O'Daniel	Timmons
Carter	Hardin	Owens	Waldrop
Casey	Headley	Perloff	Wallace
Chesnut	Hill	Porter	Weeks
Connell	Hughes	Pruitt	Williams
Cottingham	King	Reed (T)	Wynot
Cross	Lutz	Roberts	

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REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to wit:

H. 399. To amend Act No. 758, S 556, Regular Session 1967, which Act fixes the salary range of the State Budget Officer, by placing the authority to fix such salary in the State Personnel Board.

Also:

H. 1321. To make an appropriation for the payment of expenses of the Legislature.

Also:

H. 200. To regulate further nonprofit corporations established for the purpose of maintaining and operating health care service plans; to amend further sections 304, 305, 306, 307 and progressively to 311 and 313 of Title 28, Code of Alabama of 1940, as amended, relating to such nonprofit corporations; and to provide for the continuation of the existence of said corporations organized prior to and existing on the effective date of this Act.

Also:

H. 324. To make appropriations for the support and maintenance of the Walker County Junior College located at Jasper, in Walker County.

Also:

H. 325. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Also:

H. 147. To provide additional judges for the tenth judicial circuit of Alabama.

Also:

H. 245. Relating to the Thirty-Second Judicial Circuit; providing for an additional circuit judge in such circuit.

Also:

H. 736. To create two additional judgeships for the Twenty-third Judicial Circuit of Alabama, and to provide for the election, term, compensation, powers, duties, and authority of such judges.

Also:

H. 961. Relating to the Twenty-sixth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Also:

H. 1652. Relating to the Twenty-eighth Judicial Circuit; providing for an additional circuit judge in such circuit.

Also:

H. 2138. Relating to the thirtieth judicial circuit; providing for additional circuit court judge in such circuit.

Also:

H. 2213. To re-divide the state into judicial circuits so as to create a Thirty-eighth Judicial Circuit consisting of Jackson County and to create a new judgeship and a new district attorney's position.

Also:

H. 144. To create an additional judgeship for the Tenth Judicial Circuit of Alabama; to provide for the election of an incumbent thereof; to prescribe the jurisdiction, powers, authority, qualifications, duties, and compensation of such incumbent, and to render such incumbent liable to all the pains and penalties of other Circuit Judges in the State, and to further provide for a division of authority and duties between judgeships in said Circuit.

Also:

H. 569. To provide for the appointment, duties and compensation of four additional Deputy District Attorneys in judicial circuits composed of one county having a population of 600,000 or more according to the last or any subsequent federal decennial census and to provide when said Act shall go into effect.

Also:

H. 2034. Relating to the First Judicial Circuit; designating each county solicitor or assistant district attorney in each county composing the circuit as a deputy district attorney, and providing that all such deputy district attorneys shall be entitled to receive equal shares of any funds appropriated by the state for the compensation of deputy district attorneys.

Also:

H. 244. To abolish the Office of County Solicitor of Cullman County, Alabama, and to extend the power, authority and duties of the District Attorney of the Thirty-Second Judicial Circuit to require that he prosecute or supervise the prosecution of all misdemeanors and all felonies in any and all inferior courts in said Judicial Circuit and to perform all duties heretofore performed by the County Solicitor of Cullman County, and creating the Office of Deputy District Attorney for said Judicial Circuit to be appointed and serve at the pleasure of the District Attorney; setting the qualifications and salary of said Deputy District Attorney.

Also:

H. 1308. To provide for a state supplement to the Chief Deputy District Attorney in the 11th Judicial Circuit.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolutions and sends same herewith to the House for its consideration:

By Mr. Givhan:

S. J. R. 118. MOURNING THE DEATH OF JAMES W. OAKLEY, SR.

Also:

By Messrs. Bailes, Vacca, Dominick, King, Gilmore and Hawkins:

S. J. R. 119. MOURNING THE DEATH OF FRANK P. SAMFORD.

Also:

By Mr. Edington:

S. J. R. 120. OBSERVING THE 10th ANNIVERSARY OF THE
USS ALABAMA BATTLESHIP COMMISSION.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Downing, the House concurred in and adopted the resolutions, S. J. R. 118, S. J. R. 119 and S. J. R. 120, set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House bill and returns same herewith to the House:

H. 125. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Jones (F), the House concurred in and adopted the Senate amendment to the bill, H. 125, said Senate amendment being as follows:

Amend Section 2 of H. B. 125 by striking Section 2 in its entirety and inserting in lieu thereof the following:

"Section 2. On or after October 1, 1973, there is hereby provided to any State employee who is receiving a retirement allowance from the Employees' Retirement System of Alabama, or who was retired prior to or on October 1, 1973, an increase in his maximum retirement allowance in the amount of fifteen percent (15%)."

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Harris	Mathews
Adwell	Cross	Headley	May
Agee	Culver	Hughes	Meeks
Bank	Downing	Jackson	Mims
Barkett	Edwards	Jones (F)	Nettles
Bassett	Ellis	King	O'Daniel
Boutwell	Erdreich	Lutz	Owens
Bowers	Falkenburg	McBride	Parker
Carnes	Gafford	McCluskey	Perloff
Carter	Grainger	McCorquodale	Porter
Casey	Gray (F)	McDonald	Pruitt
Chesnut	Grey (D)	McMillan	Reed (T)
Connell	Hardin	Manley	Reid (R)

REGULAR SESSION
35th Day

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Roberts	Smith (P)	Timmons	Weeks
St. John	Stokes	Waldrop	Williams
Slate	Stubbs	Wallace	Wood
Smith (K)	Therrell	Warren	Wynot

—68

And the bill, H. 125 as thus amended, was again read at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Downing	McCluskey	Slate
Adams	Edwards	McCorquodale	Smith (K)
Adwell	Ellis	McDonald	Smith (P)
Agee	Erdreich	McMillan	Snell
Bank	Fite	McNair	Stewart
Barkett	Gafford	Mathews	Stokes
Barron	Grainger	May	Stubbs
Bassett	Gray (F)	Meeks	Taylor
Benton	Grey (D)	Merrill	Therrell
Boutwell	Hardin	Mims	Timmons
Bowers	Harris	Nettles	Turner
Callahan	Headley	O'Daniel	Waggoner
Carnes	Hobbie	Owens	Waldrop
Carter	Hughes	Parker	Wallace
Casey	Jackson	Perloff	Warren
Cauthen	Jones (F)	Porter	Weeks
Chesnut	King	Reid (R)	Williams
Connell	Kinsey	Roberts	Wise
Cross	Lang	Robertson	Wood
Culver	Lutz	St. John	Wynot
Doss	McBride		

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MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Kinsey, the rules were suspended in order to take up out of order the third reading of the bill, S. 311.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones (F)	Owens
Adwell	Doss	King	Parker
Agee	Downing	Kinsey	Perloff
Bank	Edwards	Lang	Porter
Barkett	Ellis	Lutz	Pruitt
Barron	Erdreich	McBride	Reid (R)
Bassett	Falkenburg	McCluskey	Roberts
Benton	Fite	McDonald	Robertson
Boutwell	Gafford	McMillan	St. John
Bowers	Grainger	McNair	Slate
Callahan	Gray (F)	Manley	Smith (K)
Carnes	Grey (D)	Mathews	Smith (P)
Carter	Hardin	May	Stewart
Chesnut	Harris	Meeks	Stokes
Connell	Headley	Merrill	Stubbs
Cottingham	Hobbie	Mims	Taylor
Cross	Hughes	Nettles	Therrell
Culver	Jackson	O'Daniel	Timmons

Turner
Waggoner
WaldropWallace
WarrenWeeks
WilliamsWise
Wynot

—81

And the bill:

S. 311. To provide for the preservation, enhancement and development of the coastal areas of Alabama; to establish a board with responsibility and authority for developing, coordinating and maintaining a coastal area program; and to provide for the promulgation of regulations and provisions for the enforcement of this act.

Was taken up.

Mr. Kinsey offered the following substitute to the bill:

A BILL
TO BE ENTITLED
AN ACT

To provide for the preservation, enhancement and development of the coastal areas of Alabama; to establish a board with responsibility and authority for developing, coordinating and maintaining a coastal area program; and to provide for the promulgation of regulations and provisions for the enforcement of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Purpose. The purpose of this Act is to promote, improve and safeguard the lands and waters located in the coastal areas of this state through a comprehensive and cooperative program designed to preserve, enhance and develop such valuable resources for the present and future well-being and general welfare of the citizens of this state. In promulgating such a program, the Legislature of Alabama recognizes and declares that:

a. The coastal area is rich in a variety of natural, commercial, recreational, industrial, and aesthetic resources of immediate and potential value to the present and future well-being of the state.

b. There are increasing and competing demands upon the lands and waters of the coastal area occasioned by population growth and economic development, including requirements for industry, commerce, residential development, recreation, extraction of mineral resources and fossil fuels, transportation and navigation, waste disposal, and harvesting of fish, shellfish, and other living marine resources.

c. The coastal area, and the fish, shellfish, other living marine resources, and wildlife therein, are ecologically fragile and consequently extremely vulnerable to destruction by man's alterations.

d. Important ecological, cultural, historic and aesthetic values in the coastal area are essential to the well-being of all citizens.

e. Special natural and scenic characteristics may be damaged by ill-planned development.

f. There is a state interest in the effective administration, beneficial use, protection, and development of the coastal area.

g. In light of competing demands and the urgent need to balance development for the preservation of the natural systems in the coastal area, the key to more effective protection and use of land and water resources of the coastal area is to encourage the state to exercise its authority for improved and better methods of utilizing the lands and waters in the coastal area by developing, in cooperation with counties and municipalities and other vitally affected interests, land and water use programs for the coastal area, including unified policies, criteria, standards, methods, and processes for dealing with land and water use.

Section 2. State Policy. The Legislature finds and declares that it is State policy:

a. To preserve, protect, develop, and where possible, to restore or enhance, the resources of the state's coastal area for this and succeeding generations;

b. To encourage and assist counties and municipalities to exercise effectively their responsibilities in the coastal area through the development and implementation of administration programs to achieve wise use of the land and water resources of the coastal area giving full consideration to ecological, cultural, historic, and aesthetic values as well as to needs for economic development.

c. To assure that in development of the state's coastal area adequate consideration is given to such uses of the coastal area as the establishment of harbor facilities for the receiving of oil, gas and other commodities from ships and tankers; pipelines from such ports; and utility plant sites, utility generation, transmission, distribution, and transportation facilities;

d. To urge that all state agencies engaged in programs affecting the coastal area cooperate and participate with local governments and regional agencies in effectuating the purposes of this Act; and

e. To encourage the participating of the public, of federal, state, and local governments and of regional agencies in the development of coastal area administration programs. With respect to implementation of such administration programs, it is the state policy to encourage cooperation among the various state and regional agencies including establishment of interstate and regional agreements, cooperative procedures and joint action particularly regarding environmental problems.

Section 3. Definitions. The following terms, whenever used in this Act, shall have the following respective meanings unless the context thereof clearly indicates otherwise:

a. "Coastal area" means the coastal waters (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder) strongly influenced by each and in proximity to the shorelines of Alabama, and includes transitional and intertidal areas, salt marshes, wetlands, and beaches. The area extends seaward to the outer limit of the United States territorial sea and extends inland from the shorelines only to the extent necessary to control shorelands, the uses of which have a direct and significant impact on the coastal waters.

b. "Coastal waters" means those waters, adjacent to the shoreline, which contain a measurable quantity or percentage of sea water, including but not limited to, sounds, bays, lagoons, bayous, ponds and estuaries.

c. "Estuary" means that part of a river or stream or other body of water having unimpaired connection with the open sea, where the sea water is measurably diluted with fresh water derived from land drainage.

d. "Estuarine sanctuary" means a research area which may include any part or all of an estuary, adjoining transitional areas, and adjacent uplands, constituting to the extent feasible, a natural unit, set aside to provide scientists and students the opportunity to examine over a period of time the ecological relationships within the area.

e. "Administration Program" includes, but is not limited to, a comprehensive statement in words, maps, illustrations, or other media of communication, prepared and adopted by the state in accordance with the provisions of this Act, setting forth objectives, policies and standards to guide public and private users of lands and waters in the coastal area.

f. "Water use" means activities which are conducted in or on the water, but does not mean or include the establishment of any water quality standard or criteria or the regulation of the discharge or runoff of water pollutants except the standards, criteria, or regulations which are incorporated in any program as required by the provisions of this Act.

g. "Regulated activity" means any of the following activities: the dredging, excavating or removing of soil, mud, sand, gravel, flora, fauna or aggregate of any kind from any coastal area; the dumping, filling or depositing of any soil, stones, sand, gravel, mud, aggregate of any kind or garbage, either directly or indirectly, on or in any coastal areas; killing or materially damaging any flora or fauna on or in any coastal area; and the creation on coastal areas of structures which materially affect the ebb and flow of the tide.

h. "Dredging" means the removal or displacement by any means of soil, sand, gravel, shells or other material, whether of intrinsic value or not, from coastal areas.

i. "Filling" means either the displacement of waters by the depositing into coastal areas of soil, sand, gravel, shells or other material; or the artificial alteration of water levels or water currents by physical structures, drainage ditches or otherwise.

j. "Board" means the board established under this Act.

Section 4. This act shall not apply to the following activities, areas and entities:

a. The accomplishment of emergency decrees of any duly appointed health officer of a county or municipality or of the state, acting to protect the public health and safety;

b. The conservation, repletion and research activities of the Marine Environmental Sciences Consortium, the Marine Resources Division of the Department of Conservation and Natural Resources and the Mississippi-Alabama Sea Grant Consortium;

c. Hunting, erecting duckblinds, fishing, shellfishing and trapping when and where otherwise permitted by law;

d. Swimming, hiking, boating or other recreation that causes no material harm to the flora and fauna of the areas;

e. The exercise of riparian rights by the owner of the riparian rights, provided that the construction and maintenance of piers, boathouses and similar structures are constructed on pilings that permit a reasonably unobstructed ebb and flow of the tide; provided, further, that the riparian owner may reasonably alter the wetland at the end of his pier in order to allow docking of his vessels, if the end of his pier is at the edge of marsh grass abutting his property;

f. The normal maintenance and repair of bulkheads, piers, roads and highways existing on the date of enactment of this act, and all interstate highways planned but not yet under construction;

g. Work for the maintenance, repair, renewal, improvement or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure;

h. The use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling.

i. All areas developed in the future by federal, state or county governments for the establishment of a superport or a pipeline buoy terminal for deep-draft, ocean-going vessels where regulated by federal or state agencies in a manner consistent with the purposes of this act.

j. Any activity affecting an area that is associated with or is necessary for the exploration, production or transportation of oil or gas when such activity is conducted, in a manner consistent with the purposes of this act, under a current and valid permit granted by a duly constituted agency of the State of Alabama;

k. Normal maintenance and repair activities of any utility or other person engaged in telephone communication service or in the distribution or transmission of gas, electricity or water or the collection of sewage, including inspecting, maintaining, repairing, or renewing on private or public rights of way any sewers, mains, conduits, pipes, cables, utility tunnels, power lines, towers, poles, tracks or the like, or making service connections thereto, or inspecting, maintaining, repairing, or renewing any substation, pumping or lifting facility.

l. Activities of any mosquito control commission which is a political subdivision or agency of the State of Alabama;

Section 5. Composition, Appointments, Meetings and Functions of Board. There is hereby created the Alabama Coastal Area Board composed of eight members as set forth hereinafter:

a. Members of the Board shall consist of: The Director of the Alabama Development Office, the Director of the Alabama Department of Conservation and Natural Resources, the Director of the Alabama State Docks, a member of the Mobile City Commission, a member of the Baldwin County Commission, a member of the Mobile County Commission, the State Geologist, the Director of the Marine Environmental Sciences Consortium. The term of office of each Board member shall be consistent with his elective or appointed office. The member from the Mobile City Commission and the Baldwin and Mobile County Commissions shall be elected by the membership of their respective commissions. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was ap-

pointed shall be appointed for the remainder of that term. All members shall be eligible for reappointment.

b. The Governor shall appoint one member from the above designated Board as Chairman to serve at the will of the Governor. The Chairman shall designate from time to time any other member as acting chairman to serve during his absence. A quorum for the transaction of business shall consist of at least five members. The Board shall have an official seal which shall be judicially noticed.

c. Members shall receive no additional compensation for serving on the Board, but shall be reimbursed for expenses of travel and subsistence in the discharge of their official duties at the rate provided by law.

d. The Board shall meet quarterly, and shall meet in special sessions as occasion demands upon the call of the Chairman. All meetings shall be open to the public and an accurate record of all proceedings shall be kept and made available for public inspection. All members shall be voting members.

e. The Board shall employ the services of the Alabama Development Office, to provide and administer the staff activities and technical functions of the Coastal Area Act.

f. The Alabama Development Office shall have the authority to solicit, accept and expend funds from the State, the United States, and from any other source, to carry out the provisions, purposes and policies of this Act.

g. The Board shall coordinate activities and plans of all existing interests, other State governments, local governments, regional planning agencies, interstate compacts and commissions, and federal agencies which have programs relevant to the coastal area.

h. The Board shall promulgate such regulations as are necessary for the effective administration of this Act and will begin the enforcement of these provisions upon the completion of the required regulations and upon their becoming effective pursuant to approval by the Board.

i. When necessary to achieve conformance with the management program provided for in Section 6 of this act, the Board shall have the power to acquire fee simple and less than fee simple interests in land, water and other property under the procedures of Title 19, Code of Alabama, or other means.

j. The following State agencies shall act in an advisory capacity to the Board:

- (1) State Health Department
- (2) Water Improvement Commission
- (3) Alabama Highway Department
- (4) Department of Agriculture and Industries
- (5) Alabama Public Service Commission
- (6) State Oil and Gas Board
- (7) Air Pollution Commission

Section 6. Development of Program by Board. The Board shall provide for the development of a comprehensive coastal area administration pro-

gram in recognition of the national policy expressed in the Coastal Zone Management Act of 1972, Public Law 92-583. The program shall be prepared in cooperation with local, regional, state and federal interests and shall comply with federal rules, etc., for coastal area planning and administration. The program should include at least the following:

- a. Identification of the boundaries of the Coastal Area subject to the program;
- b. Identification of all of the state's coastal resources;
- c. Evaluation of these resources in terms of their quality, quantity, and capability for the use both now and in the future;
- d. Determination of the present and potential uses and the present and potential conflicts in the uses of each coastal resource;
- e. A definition of what shall constitute permissible land and water uses within the coastal area which have a direct and significant impact on the coastal waters;
- f. An inventory and designation of areas of particular concern within the coastal area;
- g. Broad guidelines on priority of uses in particular areas;
- h. Provision for adequate consideration of the local, regional, State and national interest involved in the siting of facilities for the development, generation, transmission and distribution of energy, adequate transportation facilities and other public services necessary to meet requirements which are other than local in nature.
- i. Provision for consideration of whether a proposed activity of an applicant for a federal license or permit complies with the state's coastal area program and for the issuance of notice to any concerned federal agency as to whether the state concurs with or objects to the proposed activity.
- j. Adequate provision for public notice, public hearings, and judicial review as provided for under Alabama law.

Section 7. Permit Applications. Following development of the coastal area administration program provided for in Section 6 and review and approval of the program by the Governor, no regulated activity shall affect, subsequent to the effective date of said coastal area administration program, any coastal area without a permit unless such regulated activity is allowed without permit in the administration program promulgated pursuant to the provisions of this act. Any person proposing to conduct or cause to be conducted such a regulated activity upon any coastal area subsequent to the effective date of said coastal area administration program shall file an application for a permit with the Board in such form and with such information as the Board may prescribe. An application fee in an amount to be established by the Board regulations shall accompany each application and shall be payable to the Board.

- a. An application shall include the following:
 - (1) The name and address of the applicant;

(2) The names and addresses of the owners of record of adjacent land and of known claimants of riparian or water rights in or immediately adjacent to the coastal area, or a certification that after diligent search and inquiry the said names and addresses could not be found;

(3) A detailed description of the proposed activity and a map, drawn to an appropriate and uniform scale showing by section, township and range, the location and area of the coastal areas to be affected, indicating the location and area of existing and proposed fill, excavation or other regulated activities; showing the location, width, depth and length of any proposed channel and dredge spoil disposal site; showing all existing and proposed structures, sewage collection and treatment facilities, utility installations, roadways and related appurtenances or facilities, including those on adjacent uplands; describing the type of equipment to be used and the means of equipment access to the activity site;

(4) An estimate of the cost of the activity;

(5) The primary and secondary purposes of the project, including contemplated future projects;

(6) A description of any public benefit to be derived from the proposed project dependent upon the proposed activity;

(7) A complete description of measures to be taken to reduce detrimental off-site effects to the coastal areas during and after the proposed activity;

(8) The completion date of the proposed activity and of the project dependent upon the activity;

(9) A written report or statement of the environmental impact of the proposed regulated activity and of the final project dependent on it upon the affected coastal areas and the life dependent upon them, provided that an environmental impact statement treating the same activity in the same area and supplied to another federal or state agency for considering a permit shall satisfy this requirement if submitted by the applicant; and

(10) A certification that permits from the Alabama Air Pollution Commission and the Alabama Water Improvement Commission have been applied for or that such permits are not required; that a permit from the United States Corps of Engineers has been applied for or that such permit is not required; that permits or other certificates of compliance with applicable municipal or county building codes and zoning ordinances have been applied for or are not required;

b. However, any person filing an application to dredge an existing channel for navigational purposes need only show:

(1) That such channel was lawfully in existence on the date of enactment of this act and on the date such application was filed;

(2) That such channel is regularly used for navigational purposes;

(3) That a permit from the U.S. Corps of Engineers, or its successors, was obtained for the original dredging or that such permit was not required;

(4) That such channel, because of silting or because of the movement of mud, sand, soil or other debris, has become, or is in danger of becoming, impaired for navigational purposes;

(5) Where and how the spoil shall be disposed of, so as to preserve existing areas; and

(6) Fulfill the requirements of subsections a.(1) and a.(7) above.

c. Any person filing an application to dredge a new channel through coastal areas for navigational purposes, must, in addition to the requirements of subsection a. above, show to the satisfaction of the Board:

(1) That such channel will be regularly used for navigational purposes;

(2) That such channel is necessary for access to existing or proposed docks, marinas, yacht basins or other facilities and that there are no other reasonable means of access to such facilities;

(3) Where and how the spoil shall be disposed of, so as to preserve existing areas;

(4) That such channel will be dredged in such a manner as to have the least detrimental effect on the ecological, economic, recreational and aesthetic value of surrounding coastal areas; and

(5) That such channel shall benefit the public at large or surrounding landowners.

(d) The Board shall cause a copy of any application to be mailed immediately to the following parties:

(1) The chief administrative officer in the municipality or municipalities where any part of the proposed activity will be located;

(2) The chief administrative officer of any county where any part of the proposed activity will be located;

(3) The chief biologist, Department of Conservation and Natural Resources;

(4) The county attorney of any county in which any part of the proposed activity will be located or in any county which may be affected by such activity;

(5) The district attorney of any judicial district in which any part of the proposed activity will be located or of any district which may be affected by such activity;

(6) The Director of the South Alabama Regional Planning and Development Commission.

e. Not later than sixty (60) days from the receipt of any application, the Board shall publish notice of a date on or before which written objections to any application must be filed. If written objection is filed or if the applicant requests a hearing, then a hearing must be held within ten (10) days after the date on or before which objections must be filed unless a later date for the hearing is agreed to by all parties. Notice of the date on or before which objections must be filed shall be published once a week for at least three (3) consecutive weeks in at least one (1) newspaper of general circulation in the county or counties in which the affected areas are located. The first publication of such notice shall be made not less than twenty-one (21) days prior to the date on or before which objections must be filed and the last publication

shall be made not more than seven (7) days prior to such date. The published notice shall describe the site of the proposed activity and shall give a general description of the proposed regulated activity. Further, notice shall be given describing the date, time and place for the said hearing by U. S. Mail, postage prepaid, to each of the objectors and to the applicant at the address furnished to the Board by said parties, and by causing a copy of such notice to be published at least one (1) time in one (1) newspaper having general circulation in the county or counties in which the affected wetlands are located.

f. The following parties shall be notified of a hearing by the Board by mail prior to the date set for the hearing, but a failure to meet this requirement shall not invalidate any permit granted thereafter:

(1) All of those parties who are entitled to receive a copy of such application in accordance with subsection e. of this section of this act; and

(2) All known owners of record of adjacent land and all known claimants to water or riparian rights in or adjacent to the coastal areas affected.

g. Any person who files a written objection pursuant to paragraph e. of this section may appear at the public hearing and be heard.

h. The burden of proof shall be on the applicant, whether a hearing is held or not; provided, however, no application shall be denied without giving the applicant a right to a hearing according to the provisions of this act.

i. Evidence offered at hearings and all applications and related documents shall be open for public inspection at the office of the Board at reasonable times.

j. Within thirty (30) days of the completion of the public hearing on an application for permit the Board shall issue its order granting (with or without special conditions) or denying the application. In the event the Board denies the application it shall specify its reasons therefor and indicate any changes in the proposed activity that would make the applicant eligible to receive the permit. The decision of the Board shall become final unless appeal as provided for in Section 8 is taken therefrom.

Section 8. Appeals. An appeal may be taken by the applicant, or any person or corporation, municipal corporation, county or interested community group who has been aggrieved by such order, from the denial, suspension or revocation of a permit or the issuance of a permit or conditional permit and who has filed written protest or objection as specified in Section 7., within thirty (30) days after the mailing to the parties of the order of issuance, denial, suspension or revocation of any such permit, to the circuit court of any county having jurisdiction over the property which may be affected by any such proposed activity to be authorized by such permit.

a. If the court finds that the order appealed from is supported by substantial evidence, consistent with the public policy set forth in this act, is not arbitrary or capricious and does not violate constitutional rights, it shall affirm the Board's order.

b. Such appeal shall be brought by a complaint in writing, stating fully the reasons therefor, signed by an authorized party, and shall be served at least twelve (12) days before the return date upon the Board and upon all

parties having an interest adverse to the appellant as designated under Section 8. Such appeals shall be brought to the next return day of the court after the filing of such appeal or may be returned to a day set by fiat of the court. A cost bond must be posted with sufficient sureties payable to the state in the sum of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), to be fixed in the order appealed from and to be filed with and approved by the director of the Board, who shall forthwith certify the same, together with a certified copy of the transcription record of the proceedings of the Board in the matter to the circuit court to which the appeal is taken, which shall thereupon become the record of the cause. An appeal to the circuit court as provided herein shall not stay the execution of an order of the Board; provided, however, that any party aggrieved by an order of the Board may petition the circuit court for an appeal with supersedeas and the court shall grant a hearing on said petition, and upon good cause shown may grant said appeal with supersedeas in which case the appellant shall be required to post a bond with sufficient sureties according to law in an amount to be determined by the court.

c. Upon the filing of an appeal, the clerk of the circuit court shall serve notice thereof upon the Board, whereupon the Board shall within sixty (60) days, or within such additional time as the court may for cause allow, from the service of such notice certify to the circuit court the record in the case, which record shall include a transcript of all testimony, all objections, all exhibits or copies thereof, all pleadings, proceedings, orders, findings and opinions entered in the case; provided, however, that the parties and the Board may stipulate that only a specified portion of the record shall be certified to the court as the record on appeal.

d. If, upon hearing such appeal, it appears to the court that any testimony has been improperly excluded by the Board or that the facts disclosed by the record are insufficient for the equitable disposition of the appeal, it shall refer the case back to the Board to take such evidence as it may direct and report the same to the court with the board's findings of fact and conclusions of law.

e. Such appeal shall have precedence in the order of trial, and the circuit court may order the granting, denial, revocation, suspension or limitation of any permit or may remand to the Board for such order.

f. Appeals may be taken from the circuit court to the Supreme Court in the manner as now required by law.

Section 9. Initiation of Actions. The State of Alabama at the request of the Board, a district attorney having jurisdiction, or a county attorney having jurisdiction may initiate the actions, as described in this act against any person or persons believed to be in violation of this act.

a. Jurisdiction and venue for judicial actions brought pursuant to this act shall lie in any county or counties in which the alleged violation occurs or in which property affected by such violation is located.

b. Any person who violates the provisions of this act shall be liable to the State of Alabama for the restoration of all affected coastal areas to their condition prior to such violation, insofar as such restoration is possible, and for any and all damages to such areas. The appropriate circuit court shall allow a reasonable time for completion of the restoration and may, in its discre-

tion, order as punitive damages a sum not to exceed Five Hundred Dollars (\$500.00) Per Day for each day such violation has existed. The said circuit court may further order in punitive damages a sum not to exceed Five Hundred Dollars (\$500.00) Per Day for each day that the violation exists beyond the date set by said court in its order for the restoration of said area.

c. Threatened or actual violations of this act may be restrained by order of the Circuit Court of the county in which any affected area of the coastal area or any part thereof lies. Such suits shall be initiated as provided for above.

d. Nothing in this act shall preclude other statutory or common law remedies by public or private parties against violators or nonviolators of this act.

Section 10. Severability. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. Effective Date. This act shall become effective 120 days from the date of its approval by the Governor or from the date it otherwise becomes law.

And the substitute was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Downing	McBride	St. John
Adwell	Edwards	McCluskey	Slate
Agee	Ellis	McCorquodale	Smith (K)
Bank	Fite	McDonald	Smith (P)
Barkett	Flippo	McMillan	Stewart
Barron	Gafford	McNair	Stokes
Bassett	Grainger	Mathews	Stubbs
Benton	Grey (D)	May	Taylor
Boutwell	Hardin	Meeks	Therrell
Bowers	Harris	Merrill	Timmons
Callahan	Headley	Mims	Turner
Carnes	Hill	Nettles	Waggoner
Carter	Hobbie	O'Daniel	Waldrop
Chesnut	Hughes	Owens	Wallace
Collins	Jackson	Parker	Warren
Connell	Jones (F)	Perloff	Weeks
Cottingham	King	Porter	Williams
Cross	Kinsey	Reid (R)	Wise
Culver	Lang	Roberts	Wood
Dill	Lutz	Robertson	Wynot

—80

And the bill, S. 311 as thus amended, was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Bank	Bassett	Bowers
Adwell	Barkett	Benton	Callahan
Agee	Barron	Boutwell	Carnes

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Carter	Harris	May	Smith (P)
Chesnut	Headley	Meeks	Stokes
Collins	Hill	Merrill	Stubbs
Connell	Hobbie	Mims	Taylor
Cottingham	Hughes	Nettles	Therrell
Cross	Jackson	O'Daniel	Timmons
Culver	Jones (F)	Owens	Turner
Doss	King	Parker	Waggoner
Downing	Kinsey	Perloff	Waldrop
Edwards	Lang	Porter	Wallace
Ellis	Lutz	Reid (R)	Warren
Erdreich	McBride	Roberts	Weeks
Flippo	McCluskey	Robertson	Williams
Gafford	McDonald	St. John	Wise
Grainger	McMillan	Slate	Wood
Grey (D)	Mathews	Smith (K)	Wynot
Hardin			

—77

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 805. To amend Section 402 of Title 51, Code of Alabama of 1940, so as to provide for the deduction of certain dividends received by domestic and foreign corporations.

Also:

H. 669. To amend Section 2 of Act No. 63 passed at the Extraordinary Session of the Legislature of Alabama of 1971 and approved April 27, 1971, relating to the uniform disposition of unclaimed and abandoned property, so as to provide for the disposition of traveler's checks and money orders that have been outstanding for more than 15 years from the date of issuance; to amend Section 11 of said Act to provide for the omission from the report required by Section 11 of certain information as to traveler's checks and money orders; to amend Section 12 of said Act so as to exempt sums payable on traveler's checks and money orders from the provisions of Section 12; and to amend Section 13 of said Act in the case of sums payable on traveler's checks or money orders presumed abandoned, to provide for the payment of such sums within 20 days after the filing of the report required by Section 11.

Also:

H. 226. To amend Title 52, Section 361, Code of Alabama 1940, as amended by adding new subsection nine (9) and renumbering existing subsections, to provide that a teacher may appeal to the State Tenure Commission in any instance when such teacher has been denied a formal hearing as required by Title 52, Sections 356 and 359, Code of Alabama 1940, as amended.

Also:

H. 1182. To direct the State Department of Education to establish public kindergarten pilot programs in each of the congressional districts from which State Board of Education members are elected of the state.

Also:

H. 1829. Pursuant to constitutional amendment CCCXVII ratified on January 27, 1972, this bill creates the Judicial Retirement Fund, and provides for the administration and supervision thereof; provides for the qualifications for retirement benefits for certain judicial officers; provides for the payment of retirement and disability benefits from the fund to qualified individuals; and provides for appropriations to carry out the provisions of the Act.

McDOWELL LEE,
Secretary.

MOTION TO ADJOURN

Mr. Manley moved that the House adjourn until 12:00 o'clock noon, Thursday, September 13, 1973.

SUBSTITUTE MOTION LOST

The substitute motion offered by Mr. Stubbs that the House adjourn until 2:00 o'clock P.M., Thursday, September 13, 1973, was lost.

Yeas 26; Nays 51.

Yeas:

Messrs.:	Fite	Merrill	Stubbs	
Bassett	Grey (D)	O'Daniel	Taylor	
Carnes	Hardin	Pruitt	Timmons	
Casey	Headley	Reid (R)	Waldrop	
Cauthen	McCorquodale	St. John	Wallace	
Culver	Manley	Slate	Warren	
Dill	Mathews	Smith (K)		—26

Nays:

Mr. Speaker	Crawford	Jones (F)	Roberts	
Adams	Cross	King	Robertson	
Adwell	Doss	Lutz	Smith (P)	
Agee	Downing	McBride	Stewart	
Bank	Edwards	McCluskey	Stokes	
Barkett	Ellis	McDonald	Therrell	
Barron	Falkenburg	McMillan	Turner	
Benton	Flippo	May	Waggoner	
Boutwell	Gafford	Meeks	Weeks	
Chesnut	Grainger	Naramore	Wise	
Collins	Harris	Nettles	Wood	
Connell	Hill	Parker	Wynot	
Coshatt	Hughes	Perloff		—51

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Downing, the rules were suspended in order to take up out of order the third reading of the bill, S. 515.

Yeas 72; Nays 4.

Yeas:

Mr. Speaker	Bank	Bassett	Bowers
Adwell	Barkett	Benton	Brassell
Agee	Barron	Boutwell	Callahan

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Carnes	Falkenburg	McBride	Robertson
Carter	Flippo	McCluskey	St. John
Cauthen	Gafford	McDonald	Smith (K)
Chesnut	Grainger	McMillan	Smith (P)
Collins	Grey (D)	May	Stokes
Connell	Hardin	Meeks	Taylor
Coshatt	Harris	Mims	Therrell
Cottingham	Headley	Naramore	Turner
Crawford	Hill	Nettles	Waggoner
Cross	Hobbie	Owens	Warren
Culver	Hughes	Parker	Weeks
Dill	Jones (F)	Perloff	Williams
Downing	King	Porter	Wise
Edwards	Kinsey	Reid (R)	Wood
Ellis	Lutz	Roberts	Wynot

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Nays:

Messrs.:	Casey	Slate	Stubbs
Adams			

—4

And the bill:

S. 515. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940." by adding pipeline companies to the corporations included in said Section 88.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cottingham	King	Porter
Adams	Crawford	Kinsey	Robertson
Adwell	Cross	Lutz	St. John
Agee	Dill	McBride	Slate
Bank	Downing	McCluskey	Smith (K)
Barkett	Ellis	McDonald	Snell
Bassett	Erdreich	McMillan	Stewart
Benton	Falkenburg	Manley	Stokes
Boutwell	Flippo	Mathews	Stubbs
Bowers	Gafford	May	Therrell
Brassell	Grainger	Meeks	Turner
Callahan	Hardin	Merrill	Waggoner
Carnes	Harris	Mims	Waldrop
Carter	Headley	Naramore	Wallace
Cauthen	Hill	Nettles	Warren
Chesnut	Hobbie	O'Daniel	Weeks
Collins	Hughes	Owens	Williams
Connell	Jackson	Parker	Wood
Coshatt	Jones (F)	Perloff	Wynot

—76

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Downing, the rules were suspended in order to take up out of order the third reading of the bill, S. 516.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Perloff
Adams	Cross	King	Roberts
Adwell	Dill	Kinsey	Robertson
Agee	Doss	Lutz	St. John
Barkett	Downing	McBride	Slate
Barron	Ellis	McCluskey	Smith (K)
Bassett	Erdreich	McDonald	Stewart
Benton	Falkenburg	McMillan	Stokes
Boutwell	Flippo	Mathews	Stubbs
Bowers	Gafford	May	Therrell
Brassell	Grainger	Meeks	Turner
Callahan	Hardin	Merrill	Waggoner
Carnes	Harris	Mims	Waldrop
Carter	Headley	Naramore	Warren
Chesnut	Hill	Nettles	Weeks
Collins	Hobbie	O'Daniel	Williams
Connell	Hughes	Owens	Wood
Coshatt	Jackson	Parker	Wynot
Cottingham			

—73

And the bill:

S. 516. To amend Sections 71 75,76 and 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cottingham	Jackson	Porter
Adams	Crawford	Jones (F)	Roberts
Adwell	Cross	Kinsey	Robertson
Agee	Crowe	Lutz	St. John
Bank	Dill	McBride	Smith (K)
Barkett	Doss	McCluskey	Snell
Barron	Downing	McDonald	Stewart
Bassett	Ellis	McMillan	Stokes
Benton	Erdreich	Mathews	Stubbs
Boutwell	Falkenburg	May	Therrell
Bowers	Flippo	Meeks	Turner
Brassell	Gafford	Merrill	Waggoner
Callahan	Grainger	Mims	Waldrop
Carnes	Hardin	Naramore	Wallace
Carter	Harris	Nettles	Warren
Cauthen	Headley	O'Daniel	Weeks
Chesnut	Hill	Owens	Williams
Collins	Hobbie	Parker	Wood
Connell	Hughes	Perloff	Wynot
Coshatt			

—77

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Downing, the rules were suspended in order to take up out of order the third reading of the bill, S. 642.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (F)	Robertson
Adams	Cross	King	St. John
Adwell	Crowe	Kinsey	Smith (K)
Agee	Dill	Lutz	Smith (P)
Bank	Doss	McBride	Snell
Barkett	Downing	McCluskey	Stewart
Barron	Edwards	McDonald	Stokes
Bassett	Ellis	McMillan	Stubbs
Benton	Erdreich	Mathews	Taylor
Boutwell	Falkenburg	May	Therrell
Bowers	Flippo	Meeks	Turner
Brassell	Gafford	Merrill	Waggoner
Callahan	Grainger	Mims	Waldrop
Carnes	Hardin	Naramore	Wallace
Carter	Harris	Nettles	Warren
Chesnut	Headley	O'Daniel	Weeks
Collins	Hill	Owens	Williams
Connell	Hobbie	Parker	Wood
Coshatt	Hughes	Perloff	Wynot
Cottingham	Jackson	Roberts	

—79

And the bill:

S. 642. To create, establish and empower The Ameraport Offshore Harbor and Terminal Commission, pending the approval of a bistate compact involving the participation of the States of Alabama and Mississippi, in the development of an offshore deep draft harbor and terminal for the purpose of loading and unloading cargoes of energy, in particular, petroleum of all kinds.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Collins	Gray (F)	McMillan
Adams	Connell	Hale	McNair
Adwell	Coshatt	Hardin	Mathews
Agee	Cottingham	Harris	May
Bank	Crawford	Headley	Meeks
Barkett	Cross	Hill	Merrill
Barron	Crowe	Hobbie	Mims
Bassett	Dill	Hughes	Naramore
Benton	Doss	Jackson	Nettles
Boutwell	Downing	Jones (F)	O'Daniel
Bowers	Ellis	King	Owens
Brassell	Erdreich	Kinsey	Parker
Callahan	Falkenburg	Lutz	Perloff
Carnes	Flippo	McBride	Porter
Carter	Gafford	McCluskey	Roberts
Chesnut	Grainger	McDonald	Robertson

St. John	Stewart	Turner	Weeks
Slate	Stokes	Waggoner	Williams
Smith (K)	Stubbs	Waldrop	Wood
Smith (P)	Taylor	Wallace	Wynot
Snell	Therrell	Warren	

—83

MOTION TO SUSPEND RULES ADOPTED

On motion of Mr. Downing, the rules were suspended in order to take up out of order the third reading of the bill, S. 658.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson	Roberts
Adams	Cross	Jones (F)	St. John
Adwell	Crowe	King	Slate
Agee	Doss	Kinsey	Smith (K)
Bank	Downing	Lutz	Smith (P)
Barkett	Edwards	McBride	Stewart
Barron	Ellis	McCluskey	Stokes
Bassett	Erdreich	McCorquodale	Stubbs
Benton	Falkenburg	McDonald	Taylor
Boutwell	Flippo	McMillan	Therrell
Bowers	Gafford	Mathews	Turner
Brassell	Grainger	May	Waggoner
Callahan	Gray (F)	Merrill	Waldrop
Carnes	Hale	Mims	Wallace
Carter	Hardin	Naramore	Warren
Chesnut	Harris	Nettles	Weeks
Collins	Headley	O'Daniel	Williams
Connell	Hill	Owens	Wood
Coshatt	Hobbie	Parker	Wynot
Cottingham	Hughes	Perloff	

—79

And the bill:

S. 658. To authorize the Governor on behalf of the State of Alabama to seek appointment of a referee by the U. S. Congress, for the purpose of executing a compact with the State of Mississippi. This compact to be for the purpose of promoting the development of a Deep Draft Harbor and Terminal to be located on the continental shelf of the United States, in the Gulf of Mexico.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crowe	Gray (F)
Adams	Callahan	Dill	Hale
Adwell	Carnes	Doss	Hardin
Agee	Carter	Downing	Harris
Bank	Chesnut	Edwards	Headley
Barkett	Collins	Ellis	Hill
Barron	Connell	Erdreich	Hobbie
Bassett	Coshatt	Falkenburg	Hughes
Benton	Cottingham	Flippo	Jackson
Boutwell	Crawford	Gafford	Jones (F)
Bowers	Cross	Grainger	King

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Kinsey	Meeks	Roberts	Timmons
Lutz	Merrill	St. John	Turner
McBride	Mims	Smith (K)	Waggoner
McCluskey	Naramore	Smith (P)	Waldrop
McCorquodale	Nettles	Snell	Wallace
McDonald	O'Daniel	Stewart	Warren
McMillan	Owens	Stokes	Weeks
McNair	Parker	Stubbs	Williams
Mathews	Perloff	Taylor	Wood
May	Porter	Therrell	Wynot

—84

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bill and returns same herewith to the House:

H. 2029. To further identify creditable years of service under the State Employees' Retirement System.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

S. 125. To prohibit the taking, catching, capturing, or killing game or non-game fish by use of a gill, trammel or similar type net in the waters impounded by Jordan Dam, Lay Dam, Mitchell Dam and Martin Dam and to prescribe penalties.

Was read a third time at length and passed.

Yeas 66; Nays 0.

Yeas:

Messrs.:	Ellis	McCorquodale	Smith (K)
Adams	Erdreich	McDonald	Snell
Adwell	Falkenburg	McMillan	Stokes
Bank	Fite	McNair	Stubbs
Barron	Gafford	Manley	Taylor
Boutwell	Grainger	May	Therrell
Bowers	Gray (F)	Meeks	Timmons
Brassell	Hale	Mims	Turner
Carnes	Harris	Naramore	Waggoner
Carter	Headley	Nettles	Waldrop
Coshatt	Hobbie	O'Daniel	Wallace
Cottingham	Hughes	Owens	Warren
Cross	Jackson	Parker	Weeks
Crowe	Jones (F)	Perloff	Wise
Dill	King	Porter	Wood
Downing	Lutz	St. John	Wynot
Edwards	McCluskey	Slate	

—66

S. 933 RECONSIDERED

Having voted on the prevailing side, Mr. Kinsey moved to reconsider the vote by which the bill, S. 933, was passed, and the motion was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Ellis	McDonald	Smith (K)
Adwell	Erdreich	McMillan	Smith (P)
Bank	Falkenburg	McNair	Snell
Barkett	Fite	Manley	Stewart
Barron	Gafford	Mathews	Stokes
Benton	Grainger	May	Stubbs
Boutwell	Gray (F)	Meeks	Taylor
Brassell	Hale	Merrill	Timmons
Carnes	Harris	Mims	Waggoner
Carter	Headley	Naramore	Waldrop
Connell	Hobbie	O'Daniel	Wallace
Coshatt	Hughes	Owens	Warren
Cottingham	Jones (F)	Parker	Weeks
Crawford	Kinsey	Porter	Williams
Cross	Lang	Robertson	Wise
Dill	Lutz	St. John	Wood
Downing	McCluskey	Slate	Wynot
Edwards			

—69

S. 933 POSTPONED

On motion of Mr. Kinsey, the bill, S. 933, was postponed to the thirty-sixth legislative day.

MOTION TO ADJOURN LOST

The motion offered by Mr. Lang that the House adjourn until 10:00 o'clock a.m., Thursday, September 13, 1973, was lost.

Yeas 38; Nays 41.

Yeas:

Messrs.:	Cottingham	McCorquodale	St. John
Agee	Crawford	McDonald	Slate
Barkett	Dill	Manley	Smith (K)
Bassett	Doss	Mathews	Stewart
Benton	Downing	Merrill	Taylor
Brassell	Falkenburg	Mims	Therrell
Carnes	Fite	O'Daniel	Waldrop
Cauthen	Gray (F)	Perloff	Wallace
Chesnut	Hardin	Porter	Wood
Connell	Jackson	Pruitt	

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Nays:

Mr. Speaker	Edwards	King	Robertson
Adams	Ellis	Lutz	Smith (P)
Adwell	Flippo	McBride	Snell
Barron	Gafford	McCluskey	Stokes
Boutwell	Grainger	May	Timmons
Bowers	Hale	Meeks	Waggoner
Carter	Headley	Naramore	Weeks
Casey	Hill	Nettles	Williams
Collins	Hobbie	Owens	Wise
Coshatt	Jones (F)	Parker	Wynot
Cross			

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BILLS ON THIRD READING RESUMED

And the bill:

S. 162. To amend Section 333 of Title 52 of the Code of Alabama, Recompiled 1958 and 1969, which provides for the charging of a fee for the issuance of teacher certificates and sets the amount of the fee and for the repeal of Section 350 of Title 52, Code of Alabama, Recompiled 1958 and 1969, providing for the disposition of fees paid by the applicants for teachers certificates.

Was taken up.

Mr. Cauthen offered the following amendment to the bill:

Amend S. B. 162 by adding the following:

(a). Upon the payment of the fee herein provided and upon the compliance with the other requirements for said certificate, the superintendent of education shall, within twenty (20) days following compliance by the applicant with the applicable requirements for issuance of said certificate, issued said certificate. If the superintendent of education shall fail to issue said certificate within said period following such compliance by the applicant, said superintendent and any other employee of the state department of education responsible for the failure to issue said certificate shall be guilty of a misdemeanor and shall, upon conviction, be fined not less than \$100.00 nor more than \$300.00.

MOTION TO TABLE LOST

The motion offered by Mr. McBride to table the amendment offered by Mr. Cauthen to the bill, S. 162, was lost.

Yeas 34; Nays 40.

Yeas:

Mr. Speaker	Downing	McBride	Smith (P)
Agee	Ellis	McCluskey	Snell
Barron	Falkenburg	McDonald	Timmons
Boutwell	Fite	Nettles	Turner
Bowers	Gafford	Parker	Waggoner
Casey	Hughes	Porter	Wallace
Culver	King	Robertson	Warren
Dill	Lang	St. John	Weeks
Doss	Lutz		

—34

Nays:

Messrs.:	Edwards	Jones (F)	Slate
Adams	Erdreich	Kinsey	Smith (K)
Adwell	Grainger	McMillan	Stokes
Bank	Gray (F)	McNair	Stubbs
Benton	Grey (D)	Manley	Therrell
Carnes	Hale	Meeks	Waldrop
Carter	Headley	Naramore	Williams
Cauthen	Hill	O'Daniel	Wise
Chesnut	Hobbie	Owens	Wood
Cottingham	Jackson	Reid (R)	Wynot
Cross			

—40

And the amendment was adopted.

Yeas 55; Nays 25.

Yeas:

Messrs.:	Culver	Jones (F)	Reid (R)
Adams	Downing	King	St. John
Bank	Edwards	Kinsey	Slate
Barron	Ellis	Lang	Smith (K)
Bassett	Erdreich	Lutz	Stewart
Benton	Flippo	McMillan	Stokes
Brassell	Grainger	McNair	Therrell
Carnes	Gray (F)	Manley	Timmons
Carter	Grey (D)	Meeks	Waldrop
Cauthen	Hale	Mims	Warren
Chesnut	Hardin	Naramore	Williams
Coshatt	Headley	O'Daniel	Wise
Cottingham	Hill	Owens	Wood
Cross	Jackson	Parker	Wynot

—55

Nays:

Mr. Speaker	Dill	McBride	Smith (P)
Adwell	Doss	McCluskey	Snell
Agee	Falkenburg	McCorquodale	Turner
Boutwell	Fite	Nettles	Waggoner
Bowers	Gafford	Porter	Wallace
Casey	Hughes	Robertson	Weeks
Connell			

—25

And the bill, S. 162 as amended, was read a third time at length and passed.

Yeas 80; Nays 4.

Yeas:

Mr. Speaker	Culver	Kinsey	Robertson
Adams	Doss	Lang	St. John
Adwell	Downing	Lutz	Slate
Agee	Edwards	McBride	Smith (K)
Bank	Ellis	McCluskey	Smith (P)
Barron	Erdreich	McCorquodale	Stewart
Bassett	Falkenburg	McDonald	Stokes
Benton	Flippo	McMillan	Stubbs
Boutwell	Gafford	McNair	Taylor
Bowers	Grainger	Manley	Therrell
Brassell	Gray (F)	Mathews	Turner
Carnes	Grey (D)	Meeks	Waggoner
Carter	Hardin	Naramore	Waldrop
Cauthen	Headley	Nettles	Wallace
Chesnut	Hill	O'Daniel	Warren
Connell	Hobbie	Owens	Weeks
Coshatt	Hughes	Parker	Williams
Cottingham	Jackson	Porter	Wise
Crawford	Jones (F)	Reid (R)	Wood
Cross	King	Roberts	Wynot

—80

Nays:

Messrs.:	Dill	Fite	Snell
Casey			

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MOTION TO ADJOURN

Mr. St. John moved that the House adjourn until 11:00 o'clock a.m., Thursday, September 13, 1973.

SUBSTITUTE MOTION LOST

The substitute motion offered by Mr. Culver, that the House adjourn until 2:00 o'clock p.m., Thursday, September 13, 1973, was lost.

MOTION TO ADJOURN LOST

The question then was on the motion offered by Mr. St. John that the House adjourn until 11:00 a.m., Thursday, September 13, 1973, and the motion was lost.

Yeas 44; Nays 45.

Yeas:

Messrs.:	Cottingham	Lang	Slate
Agee	Crawford	McCorquodale	Smith (K)
Bank	Cross	McDonald	Stewart
Barkett	Dill	Manley	Taylor
Benton	Doss	Mathews	Therrell
Brassell	Downing	Merrill	Turner
Carnes	Falkenburg	O'Daniel	Waldrop
Carter	Fite	Perloff	Wallace
Casey	Gray (F)	Porter	Williams
Cauthen	Hughes	Pruitt	Wood
Chesnut	Kinsey	St. John	Wynot
Connell			

—44

Nays:

Mr. Speaker	Flipppo	King	Parker
Adams	Gafford	Lutz	Roberts
Adwell	Grainger	McBride	Robertson
Barron	Grey (D)	McCluskey	Smith (P)
Bassett	Hale	McNair	Snell
Boutwell	Hardin	May	Stokes
Bowers	Headley	Meeks	Stubbs
Collins	Hill	Mims	Timmons
Crowe	Hobbie	Naramore	Waggoner
Culver	Jackson	Nettles	Warren
Edwards	Jones (F)	Owens	Wise
Ellis			

—45

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 2173. Relating to all counties having populations of not less than 115,000 nor more than 130,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

S. 195. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of the reappraisal of property in that county required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of certain taxes and other revenues and funds; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; and to provide for the sharing of payment of the principal of and interest on such warrants by all entities receiving any part of the proceeds from ad valorem taxation of property in said county.

Was taken up.

Mr. Stokes offered the following amendment to the bill:

Amend S. 195 by deleting Section 5 and substitute in lieu thereof the following:

"Section 5. Authorization of Refunding Warrants. Each such county may in like manner from time to time issue refunding warrants, either by sale or by exchange, for the purpose of refunding any principal amount of warrants then outstanding which were issued under the provisions of this act, together with the interest thereon, and paying any premium necessary to be paid to retire the outstanding warrants refunded thereby, provided, however, that the total cost to the county through the date of complete retirement of all original or refunding warrants, is not increased. The provisions of this act applicable to the warrants so refunded shall likewise be applicable to such refunding warrants."

AMENDMENT TABLED

On motion of Mr. Barkett, the amendment offered by Mr. Stokes to the bill, S. 195, was tabled.

Yeas 54; Nays 12.

Yeas:

Mr. Speaker	Cottingham	Jackson	Robertson
Adams	Cross	King	Slate
Agee	Dill	Kinsey	Smith (P)
Barkett	Doss	Lang	Snell
Bassett	Downing	Lutz	Stewart
Boutwell	Edwards	McCorquodale	Stubbs
Bowers	Falkenburg	Manley	Turner
Callahan	Grainger	Mathews	Waggoner
Carnes	Grey (D)	Meeks	Waldrop
Carter	Hardin	Mims	Warren
Casey	Harris	Naramore	Weeks
Cauthen	Headley	Owens	Williams
Chesnut	Hobbie	Porter	Wise
Connell	Hughes		

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Nays:

Messrs.:	McMillan	Perloff	Stokes
Barron	McNair	Reid (R)	Therrell
Erdreich	Nettles	Roberts	Wood
Hill			

—12

And the bill, S. 195, was read a third time at length and passed.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker	Doss	Lutz	Robertson
Adams	Downing	McBride	St. John
Agee	Edwards	McCluskey	Slate
Barkett	Ellis	McCorquodale	Smith (K)
Barron	Erdreich	McDonald	Smith (P)
Bassett	Falkenburg	McMillan	Snell
Benton	Grainger	Manley	Stewart
Boutwell	Gray (F)	Mathews	Stokes
Bowers	Grey (D)	Meeks	Stubbs
Brassell	Hardin	Mims	Taylor
Callahan	Harris	Naramore	Therrell
Carnes	Headley	Nettles	Turner
Carter	Hill	O'Daniel	Waggoner
Casey	Hobbie	Owens	Waldrop
Chesnut	Hughes	Parker	Warren
Connell	Jackson	Perloff	Weeks
Coshatt	Jones (F)	Porter	Williams
Cottingham	King	Reid (R)	Wise
Cross	Kinsey	Roberts	Wood
Dill	Lang		

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Nay: Mr. Fite.

—1

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to wit:

H. 2173. Relating to all counties having populations of not less than 115,000 nor more than 130,000 according to the 1970 or any subsequent Federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

And finds same correctly enrolled.

TOM DRAKE,
Chairman.

ADJOURNMENT

Mr. May moved that the House adjourn until 1:00 o'clock p.m., Thursday, September 13, 1973.

SUBSTITUTE MOTION LOST

The substitute motion offered by Mr. Doss that the House adjourn until 10:15 o'clock a.m., Thursday, September 13, 1973, was lost.

Yeas 30; Nays 57.

Yeas:

Mr. Speaker	Cross	Lutz	Porter
Agee	Doss	McCorquodale	St. John
Barkett	Erdreich	McDonald	Smith (K)
Bowers	Falkenburg	McMillan	Smith (P)
Callahan	Flippo	McNair	Snell
Carter	Harris	Nettles	Turner
Connell	Hobbie	Owens	Weeks
Crawford	Jones (F)		

—30

Nays:

Messrs.:	Fite	May	Stokes
Adams	Grainger	Meeks	Stubbs
Barron	Grey (D)	Mims	Taylor
Bassett	Hardin	Naramore	Therrell
Benton	Headley	O'Daniel	Timmons
Boutwell	Hill	Parker	Turnham
Carnes	Hughes	Perloff	Waggoner
Casey	Jackson	Pruitt	Waldrop
Chesnut	King	Reid (R)	Wallace
Coshatt	Kinsey	Reynolds	Warren
Cottingham	Lang	Roberts	Williams
Dill	McBride	Robertson	Wise
Downing	McCluskey	Slate	Wood
Edwards	Manley	Stewart	Wynot
Ellis	Mathews		

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:45 P.M. on September 5, 1973.

H. 286
H. 313
H. 388
H. 677
H. 734
H. 1136
H. 1138
H. 1909
H. 1005
H. 1048

Delivered to the Governor at 6:00 P.M. on September 5, 1973.

H. 399
H. 1321

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H. 200
H. 324
H. 325
H. 147
H. 245
H. 736
H. 961
H. 1652
H. 2138
H. 2213
H. 144
H. 569
H. 2034
H. 244
H. 1308

Delivered to the Governor at 6:20 P.M. on September 5, 1973.

H. 2173

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

The question was then on the motion offered by Mr. May that the House adjourn until 1:00 o'clock p.m., Thursday, September 13, 1973, and the motion was adopted.

Yeas 47; Nays 44.

Yeas:

Messrs.:	Dill	Manley	Smith (K)
Barkett	Downing	Mathews	Stewart
Benton	Falkenburg	May	Stubbs
Bowers	Fite	Mims	Taylor
Brassell	Goodwin	O'Daniel	Therrell
Carnes	Grey (D)	Perloff	Timmons
Carter	Headley	Porter	Wallace
Cauthen	Hughes	Pruitt	Warren
Collins	Kinsey	Reid (R)	Weeks
Connell	Lang	Reynolds	Williams
Cottingham	McCorquodale	St. John	Wood
Crawford	McDonald	Slate	Wynot

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Nays:

Mr. Speaker	Doss	Jones (F)	Parker
Adams	Edwards	King	Roberts
Adwell	Ellis	Lutz	Robertson
Agee	Erdreich	McBride	Smith (P)
Barron	Flippo	McCluskey	Snell
Bassett	Grainger	McMillan	Stokes
Boutwell	Hardin	McNair	Turner
Callahan	Harris	Meeks	Turnham
Chesnut	Hill	Naramore	Waggoner
Coshatt	Hobbie	Nettles	Waldrop
Cross	Jackson	Owens	Wise

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